


  
**FEDERAL REGISTER**
  
 VOLUME 12      1934      NUMBER 151

Washington, Saturday, August 2, 1947

**TITLE 3—THE PRESIDENT**

**PROCLAMATION 2738**

DRUG AMIDONE AN OPIATE

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS section 3228 (f) of the Internal Revenue Code provides in part as follows:

*Opiate.* The word "opiate" as used in this part and subchapter A of chapter 23 shall mean any drug (as defined in the Federal Food, Drug, and Cosmetic Act) found by the Secretary of the Treasury, after due notice and opportunity for public hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine, and proclaimed by the President to have been so found by the Secretary. \* \* \*;

AND WHEREAS the Secretary of the Treasury, after due notice and opportunity for public hearing, has found the drug Amidone (4,4-Diphenyl-6-Dimethylamino-Heptanone-3) to have an addiction-forming and addiction-sustaining liability similar to morphine, and that in the public interest this finding should be effective immediately:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim that the Secretary of the Treasury has found the drug Amidone (4,4-Diphenyl-6-Dimethylamino-Heptanone-3) to have an addiction-forming and addiction-sustaining liability similar to morphine, and that in the public interest this finding should be effective immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of July in the year of our Lord nineteen hundred and forty-[SEAL] seven and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,  
Secretary of State.

[F. R. Doc. 47-7310; Filed, July 31, 1947;  
4:26 p. m.]

**PROCLAMATION 2739**

AMENDMENTS OF REGULATIONS RELATING TO

MIGRATORY BIRDS AND GAME MAMMALS

BY THE PRESIDENT OF THE UNITED STATES

OF AMERICA

A PROCLAMATION

WHEREAS the Acting Secretary of the Interior has adopted, after notice and public procedure pursuant to section 4 of the Administrative Procedure Act of June 11, 1946 (Pub. Law No. 404—79th Cong.), and has submitted to me for approval the following amendments of the regulations approved by Proclamation No. 2616 of July 27, 1944, as amended, relating to migratory birds and game mammals included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and certain game mammals concluded February 7, 1936:

AMENDMENTS OF MIGRATORY BIRD TREATY ACT  
REGULATIONS ADOPTED BY THE SECRETARY  
OF THE INTERIOR

By virtue of and pursuant to the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), and Reorganization Plan II (53 Stat. 1431), and in accordance with the provisions of the Administrative Procedure Act of June 11, 1946 (Pub. Law No. 404—79th Cong.), I, Oscar L. Chapman, Acting Secretary of the Interior, having due regard to the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of migratory birds included in the terms of the Convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and the Convention between the United States and the United Mexican States for the protection of migratory birds and game mammals, concluded February 7, 1936, have determined when, to what extent, and by what means it is compatible with the terms of the said Act and conventions to allow the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, car-

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A limited sales stock of the 1945 Supplement (4 books) is still available at \$3 a book.

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riage, exportation, and importation of such birds and parts thereof and their nests and eggs, and in accordance with such determinations, do hereby amend as follows the regulations approved by Proclamation No. 2616 of July 27, 1944, as last amended by Proclamation No. 2699 of August 8, 1946, and as so amended do hereby adopt such regulations as suitable regulations, permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, exportation, and importation of such migratory birds and parts, nests, and eggs thereof:

Regulation 3, "Means by Which Migratory Game Birds May Be Taken" is amended to read as follows:

Migratory game birds on which open seasons are specified in regulation 4 may be taken during such seasons only with bow and arrow or with a shotgun not larger than No. 10 gage, fired from the shoulder, except as permitted by regulations 7, 8, and 9, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal through the loading end thereof so as to reduce the capacity of said gun to not more than three shells at one time in the magazine and chamber combined. Such birds may be taken during the open seasons from land or water, with aid of a dog, and from a blind, boat or other floating craft not under tow or sail, except sinkbox (battery), motorboat (excluding a boat having a detached outboard motor), and sailboat; *provided*, that nothing herein shall permit the taking of migratory game birds from or by means, aid, or use of an automobile or aircraft of any kind, the taking of waterfowl by means, aid, or use of cattle, horses, mules, or live duck or goose decoys, the concentrating, driving, rallying, or stirring up of waterfowl and coots by means or aid of any motor driven land, water or air conveyance or sailboat; *provided further*, that nothing herein shall exclude the picking up of injured or dead waterfowl by means of a motorboat, sailboat, or other craft.

Waterfowl (except for propagating, scientific, or other purposes under permit issued pursuant to regulation 8), mourning doves and white-winged doves are not permitted to be taken, directly or indirectly, by means, aid, or use of shelled, shucked, or unshucked corn, or of wheat or other grain, salt, or other feed that has been so deposited, distributed, or scattered as to constitute for such birds a lure, attraction, or enticement to, on, or over the area where hunters are attempting to take them; *provided*, however, such birds may be taken over properly shocked corn and standing crops of corn, wheat, or other grain or feed, and grains found scattered solely as a result of agricultural harvesting.

A person over 16 years of age is not permitted to take migratory waterfowl unless at the time of such taking he has

on his person an unexpired Federal migratory-bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age are permitted to take migratory waterfowl without such stamp.

Regulation 4, "Open Seasons on and Possession of Certain Migratory Game Birds", is amended to read as follows:

Waterfowl (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, New Jersey, North Dakota, Utah, West Virginia and Wyoming; snow geese in Beaverhead, Gallatin and Madison Counties in Montana, in Colorado, Idaho and Wyoming and snow geese and brant in States bordering on the Atlantic Ocean; Ross' geese; and swans), coots, rails, and gallinules may be taken each day from sunrise to one hour before sunset, except that the hour for the commencement of hunting of waterfowl and coot on the first day of the season (including each first day of the split seasons) shall be 12 o'clock noon, and woodcocks, mourning or turtle doves, white-winged doves, and band-tailed pigeons from one-half hour before sunrise to sunset, except as otherwise provided in this regulation, during the open seasons prescribed herein; and may be taken by the means and in the numbers, permitted by regulations 3 and 5 hereof, and when so taken may be possessed in the numbers permitted by regulation 5 during the period constituting the open season where taken and for an additional period of 90 days next succeeding said open season, except as prohibited by State law.

Nothing herein shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), or on any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge except so far as may be permitted by the Secretary of the Interior under existing law, or on any area adjacent to any such refuge when such area is designated as a closed area under the Migratory Bird Treaty Act.

*Waterfowl and Coot.* The open seasons on waterfowl and coot (except wood ducks in Arizona, Colorado, Kansas, Massachusetts, Nebraska, Nevada, New Jersey, North Dakota, Utah, West Virginia and Wyoming; snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Colorado, Idaho and Wyoming, and snow geese and brant in States bordering on the Atlantic Ocean; Ross' geese; and swans) in the several States, Alaska, and Puerto Rico shall be as follows, both dates inclusive:

Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, December 8 to January 6.

Arizona, New Mexico, and Oklahoma, October 7 to October 20 and December 23 to January 5.

California and Oregon, October 21 to November 3 and December 23 to January 5.

## RULES AND REGULATIONS

Colorado, Idaho, and Wyoming, October 7 to October 20 and December 2 to December 15.

Connecticut, Indiana, Louisiana, Massachusetts, and New Jersey, November 18 to December 17.

Delaware and New York, including Long Island, October 21 to November 1 and December 2 to December 13.

Illinois, Missouri, and West Virginia, November 4 to December 3.

Iowa, Ohio, Pennsylvania, Vermont, and Wisconsin, October 21 to November 19.

Kansas, November 4 to December 8.

Maine and New Hampshire, October 7 to October 18 and December 2 to December 13.

Maryland, November 4 to November 15 and December 23 to January 3.

Michigan and Minnesota, October 7 to November 5.

Montana, Nebraska, Nevada, and Utah, October 21 to November 24.

North Dakota and South Dakota, October 7 to November 10.

Rhode Island, December 2 to December 31.

Texas, November 4 to November 17 and December 16 to December 29.

Washington, October 21 to November 3 and December 16 to December 29.

Puerto Rico, December 15 to February 12.

Alaska, in Fur Districts 1 and 3 as defined in the regulations governing the taking of game in Alaska, adopted May 15, 1944 (9 F. R. 5270), October 1 to November 4; in the remainder of Alaska, September 1 to October 5.

*Provided*, That scoters, locally known as sea coots, may be taken in all areas during the applicable seasons for other ducks in Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, and New York, and otherwise may be taken in open coastal waters only, beyond outer harbor lines, in Maine from October 6 to December 16, in New York from September 16 to December 13, in New Hampshire from September 1 to October 6, in Connecticut and Massachusetts from September 16 to November 17 and in Rhode Island from September 16 to December 1.

*Coot*, in Lake and McHenry Counties, Illinois, October 1 to October 12 from 7 a. m. to 4 p. m. and thereafter during the seasons and hours provided for ducks.

*Rails and Gallinules (except Coot)*. The open season on rails and gallinules (except coot) shall be from September 1 to November 30, both dates inclusive, except as follows:

Alabama, November 20 to January 31.

Illinois, in Lake and McHenry Counties, October 1 to October 12 from 7 a. m. to 4 p. m.; and thereafter during the seasons and hours provided for ducks.

Maine, October 7 to October 18 and December 2 to December 13.

Maryland, September 1 to September 30.

Massachusetts, November 18 to December 17.

Minnesota, September 16 to November 30.

Mississippi, October 15 to December 30. New York, including Long Island, October 21 to November 1 and December 2 to December 13.

Wisconsin, October 21 to November 19. Puerto Rico, December 15 to February 12.

California, District of Columbia, Hawaii, Idaho, Iowa, Montana, Nevada, Oregon, Tennessee, and Washington, no open season.

*Woodcock*. The open seasons on woodcock shall be as follows, both dates inclusive:

Arkansas and Oklahoma, December 1 to December 15.

Connecticut, October 28 to November 10.

Delaware and Maryland, November 15 to November 29.

Georgia, Louisiana, and Mississippi, December 23 to January 6.

Indiana and West Virginia, October 16 to October 30.

Maine, in Aroostook, Penobscot, Piscataquis, Somerset, Franklin, and Oxford Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

Massachusetts, November 3 to November 17.

Michigan, in Upper Peninsula, October 1 to October 15; in remainder of State, October 15 to October 29.

Minnesota, October 11 to October 25.

Missouri, November 10 to November 24.

New Hampshire, in Coos, Carroll, and Grafton Counties, October 1 to October 15; in remainder of State, October 16 to October 30.

New Jersey, October 20 to November 3.

New York, north and east of the tracks of the branch line of the New York Central Railroad from Oswego to Syracuse, the main line of the New York Central Railroad from Syracuse to Albany, and the main line of the Boston & Albany Railroad from Albany to the Massachusetts State line, October 10 to October 24; west and south of the line above described, October 20 to November 3; and that part of New York known as Long Island, November 1 to November 15; from 12 o'clock noon until sunset on the opening day in each of these zones, and thereafter in all of the aforesaid zones from 7:00 a. m. until sunset.

Ohio, Pennsylvania, and Wisconsin, October 10 to October 24.

Rhode Island, November 1 to November 15.

Vermont, in Bennington and Windham Counties and those portions of Rutland and Windsor Counties south of U. S. Highway Route 4 from West Haven to White River Junction, October 16 to October 30; in remainder of State, October 1 to October 15.

Virginia, November 20 to December 4.

*Mourning, or Turtle, Dove*. The open seasons on mourning, or turtle, dove shall be as follows, both dates inclusive:

Arizona, Kansas, Kentucky and Missouri, September 1 to October 30.

Alabama, November 27 to January 25.

Arkansas and Delaware, September 16 to November 14.

California, in Imperial County, October 1 to October 31; in remainder of State, September 1 to September 30.

Colorado, Nevada, and New Mexico, September 1 to October 12.

Florida, in Broward, Dade, and Monroe Counties, October 1 to October 31; in

remainder of State, November 20 to January 18.

Georgia, December 3 to January 31.

Idaho and Oregon, September 1 to September 15.

Illinois and Oklahoma, September 1 to September 30.

Louisiana, December 1 to January 29.

Maryland, September 1 to October 15.

Mississippi, October 16 to October 31 and January 1 to January 31.

Nebraska, September 10 to September 24.

North Carolina, September 16 to September 30, and January 1 to January 31.

Pennsylvania, October 10 to October 24.

South Carolina, September 18 to October 9, and December 22 to January 13.

Tennessee, September 1 to October 30 from 12 o'clock noon to sunset.

Texas, in Val Verde, Kinney, Uvalde, Medina, Kendall, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties, and all counties north and west thereof, September 1 to October 15; in remainder of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), October 20 to December 3; in these latter counties, September 12, 14, and 16, from 4 p. m. until sunset, and thereafter, October 20 to November 30, from one-half hour before sunrise to sunset.

Virginia, September 16 to October 31.

*White-winged Dove*. The open seasons on white-winged dove shall be as follows, both dates inclusive:

Arizona, September 1 to September 15.

Texas, in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth, and El Paso Counties, September 12, 14, and 16, from 4 p. m. until sunset.

*Band-tailed Pigeon*. The open seasons on band-tailed pigeon shall be as follows, both dates inclusive:

Arizona and New Mexico, September 16 to October 15.

California, December 1 to December 31.

Oregon and Washington, September 1 to September 30.

Regulation 5, "Daily Bag and Possession Limits on Certain Migratory Game Birds", is amended to read as follows:

A person may take in any one day during the open seasons prescribed therefor in regulation 4 not to exceed the following numbers of migratory game birds, which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken, such birds may be possessed in the number hereinafter specified, except that no person on the opening day of the season may possess any migratory game birds in excess of the daily limits herein prescribed.

*Ducks (except the American and red-breasted mergansers)*. Four, including in such limit not more than 1 wood duck, and any person may possess not more than 8 ducks including in such limit not more than 1 wood duck.

American and red-breasted mergansers. Twenty-five singly or in the aggregate. No possession limit.

Scoters (sea coots). Seven, and any person may possess not more than 14.

Geese and brant (except snow geese in Beaverhead, Gallatin, and Madison Counties in Montana, in Colorado, Idaho, and Wyoming, and snow geese and brant in States bordering on the Atlantic Ocean; and Ross' geese anywhere), as follows:

In Washington, Oregon, and California 5, including in such limit any combination not exceeding 2 of Canada geese (including Hutchins or cackling geese), or white-fronted geese and brant.

In Alaska, Puerto Rico, Idaho, Utah, Arizona, and Nevada 4, including in such limit not more than 2 Canada geese (including Hutchins or cackling geese), or 2 white-fronted geese or 1 of each.

Elsewhere than in the above States 4, including in such limit either 1 Canada goose (including Hutchins or cackling geese) or 1 white-fronted goose.

Any person may possess not more than the above bag limits of geese or brant.

In view of the fact that the hunting season on a number of migratory birds normally opens on September 1, it has been determined that these amendments shall become effective August 31, 1947.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the seal of the Department of the Interior to be affixed, this 29th day of July, 1947.

[SEAL] OSCAR L. CHAPMAN,  
Acting Secretary of the Interior.

AND WHEREAS upon consideration it appears that approval of the foregoing amendments will effectuate the purposes of the aforesaid Migratory Bird Treaty Act:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by section 3 of the said Migratory Bird Treaty Act of July 3, 1918, do hereby approve and proclaim the foregoing amendments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 31st day of July in the year of our Lord nineteen hundred and forty-seven, and of the Independence of the United States of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,  
Secretary of State.

[F. R. Doc. 47-7309; Filed, July 31, 1947;  
4:26 p. m.]

## EXECUTIVE ORDER 9879

DESIGNATING THE HONORABLE BORINQUEN MARRERO AS ACTING JUDGE OF THE DISTRICT COURT OF THE UNITED STATES FOR PUERTO RICO

NOTE: Executive Order No. 9879 was filed with the Division of the Federal Register as F. R. Doc. No. 47-7337 on August 1, 1947, at 10:18 a. m.

## TITLE 6—AGRICULTURAL CREDIT

### Chapter II—Production and Marketing Administration (Community Credit)

[1947 C. C. C. Dry Edible Smooth Pea Bulletin 1]

#### PART 280—DRY EDIBLE SMOOTH PEA LOANS AND PURCHASE AGREEMENT

##### 1947 DRY EDIBLE SMOOTH PEA PURCHASE PROGRAM

This bulletin states the requirements with respect to the 1947 Dry Edible Smooth Pea Program, as amended, formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA). Purchase agreements will be made available to eligible producers on eligible peas in accordance with this bulletin.

##### Sec.

- 280.101 Administration.
- 280.102 Availability of purchase agreements.
- 280.103 Eligible producer.
- 280.104 Eligible peas.
- 280.105 Approved warehouses.
- 280.106 Approved forms.
- 280.107 Determination of quantity.
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- 280.109 Service fees.
- 280.110 Liens.
- 280.111 Set-offs.
- 280.112 Assignment of the purchase agreement.
- 280.113 Purchase price and payment.
- 280.114 Delivery.
- 280.115 Branch offices of CCC.

AUTHORITY: §§ 280.101 to 280.115, inclusive, issued under Article Third, par. (b) of Corporate Charter of CCC; sec. 4 (a), 55 Stat. 498, 56 Stat. 768; 15 U. S. C. Sup. 713a-8; 50 U. S. C. Sup. 969.

§ 280.101 *Administration.* The program will be administered in the field by the County Agricultural Conservation Committees under the general supervision of the State PMA committees. County committees will arrange for inspections by federally licensed inspectors of eligible peas to be delivered to CCC, issue necessary delivery instructions, prepare and approve purchase agreements and other forms, and retain copies thereof. The county committee shall be responsible for determining the quantity and quality of eligible peas, the quantity of sound whole peas in each lot on the basis of federal inspection certificates, and the value of the peas delivered. The county committee may designate in writing certain employees of the county agricultural conservation association to execute such forms on behalf of the committee.

§ 280.102 *Availability of purchase agreements.* Purchase agreements will be available on eligible peas produced in the States of Washington, Oregon, California, Idaho, Montana, Colorado, North Dakota, Minnesota, and Wisconsin and such other States as the Director, Grain Branch, PMA, may hereafter designate. Purchase agreements may be executed from August 1, 1947 through December 31, 1947.

§ 280.103 *Eligible producer.* An eligible producer (hereinafter referred to

as producer) shall be any individual, partnership, association, corporation, or other legal entity producing eligible peas in 1947 as landowner, landlord, tenant, or sharecropper.

§ 280.104 *Eligible peas.* Eligible peas shall be peas of the classes Alaska, Bluebell, Scotch Green, First and Best, Marrowfat, White Canada, and Colorado White produced in 1947 which after normal cleaning would fully meet the requirements for U. S. No. 2 grade peas or better as defined in the Official U. S. Standards for Dry Peas, and as evidenced by a federal inspection certificate issued by or under the supervision of the Grain Branch, PMA.

The beneficial interest in the peas must be in the person tendering the peas pursuant to a purchase agreement, and must always have been in him, or must have been in him and a former producer whom he succeeded before the peas were harvested.

§ 280.105 *Approved warehouses.* Approved warehouses shall be those public warehouses approved by CCC. Warehouse receipts referred to in this bulletin shall be warehouse receipts issued by such warehouses and shall conform to requirements of CCC.

§ 280.106 *Approved forms.* Approved forms will include Purchase Agreement (CCC Purchase Form 1), federal inspection certificates, and such other forms as the Director, Grain Branch, PMA, may prescribe. All forms, except federal inspection certificates, may be obtained from county committees in areas where purchase agreements are available or from branch offices of CCC. Any fraudulent representation made by a producer in obtaining a purchase agreement, or in executing any of the documents, will render him subject to prosecution under the United States Criminal Code. Purchase agreements executed by an administrator, executor, or trustee will be acceptable only where legally valid. Purchase agreements must be dated prior to January 1, 1948.

§ 280.107 *Determination of quantity.* The quantity of eligible peas delivered shall be verified by a scale ticket where delivery is made from other than an approved warehouse, or by the quantity specified on a warehouse receipt where delivery is made in an approved warehouse.

The term "dockage" shall be used herein as defined in the Official U. S. Standards for Dry Peas.

The quantity of sound whole peas in the lot shall be the quantity of eligible peas minus dockage and other defects as defined in the Official U. S. Standards for Dry Peas. The quantity of sound whole peas in the lot shall be based on a federal inspection certificate and shall be computed as follows:

(a) If delivery is made in sacks, a deduction of  $\frac{3}{4}$  pound for each sack shall be made from the gross weight and the result multiplied by the percentage of sound whole peas in the lot.

(b) If delivery is made in bulk, the gross weight shall be multiplied by the percentage of sound whole peas in the lot.

## RULES AND REGULATIONS

**§ 280.108 Determination of quality.** On the basis of a federal inspection certificate, the county committee will determine the eligibility of the peas tendered, and if they are eligible, will determine the grade they would be capable of meeting after normal cleaning. Eligible peas may contain not to exceed 16.0 percent moisture, shall not have a commercially objectionable odor, shall not be heating, shall not be infested with live weevil or other insects, or be otherwise of distinctly low quality.

To qualify for the No. 1 support price the defects in the dockage-free portion of the eligible peas must not exceed any of the following maximum limits:

Total bleached and other classes, 1.5% (including other classes 0.5%); shriveled, 2.0%; cracked seed coats, 3.0%. The peas shall be a good natural color.

To qualify for the No. 2 support price, the defects in the dockage-free portion of the eligible peas must fail to meet one or more of the requirements for the No. 1 support price and must not exceed any of the following maximum limits:

Total bleached and other classes, 3.0% (including other classes 1.0%); shriveled, 4.0%; cracked seed coats, 6.0%. The peas may be slightly off-color.

The percentage limits here given for "other classes" apply only to those peas of which the cotyledons and/or seed coats are not the same color as those of the peas being inspected. An additional allowance of 5.0% for peas qualifying for the No. 1 support price and 10.0% for peas qualifying for the No. 2 support price shall be made for other classes of which the cotyledons and /or seed coats are of the same color as those of the peas being inspected.

All terms are used in this section as defined in the Official U. S. Standards for Dry Peas.

**§ 280.109 Service fees.** The producer shall pay a preliminary service fee of \$1.50 at the time he enters into a purchase agreement and an additional service fee of one cent per 100 pounds of sound whole peas, in excess of 15,000 pounds when delivered to CCC.

**§ 280.110 Liens.** Any peas delivered pursuant to a purchase agreement must be free and clear of all liens and encumbrances except warehouse receiving and loading out charges, if any. If liens or encumbrances exist on such peas, proper waivers must be obtained.

**§ 280.111 Set-offs.** A producer who is listed on the county debt register as indebted to any agency or corporation of the United States Department of Agriculture shall designate the agency or corporation to which he is indebted as the payee of the proceeds of the purchase agreement to the extent of such indebtedness but not to exceed that portion of the proceeds remaining after deduction of the service fees and amounts due prior lienholders. Indebtedness owing to CCC shall be given first consideration after claims of prior lienholders.

**§ 280.112 Assignment of the purchase agreement.** The producer may not assign the purchase agreement.

**§ 280.113 Purchase price and payment.** The purchase price for each class and grade of eligible peas shall be the applicable price as follows:

Class	No. 1 support price	No. 2 support price
Alaska, Bluebell, Scotch Green, First and Best, Marrowfat, and White Canada	\$4.40	\$4.15
Colorado White	4.15	3.90

These prices are based on 100 pounds net weight of sound whole peas determined in accordance with § 280.107.

CCC will purchase eligible peas delivered by the producer pursuant to instructions issued by CCC, or on the basis of warehouse receipts representing eligible peas issued by an approved warehouse in the producer's name. All charges incurred on such peas to the time of delivery, except warehouse receiving and loading out charges, shall be paid by the producer prior to the sale to CCC. Eligible peas may be delivered in bulk and no allowance will be made for delivery in sacks unless such delivery is specifically requested by CCC.

No allowances will be made for cleaning and processing costs. When delivery is completed, payment will be made as prescribed by the Administrator of PMA, subject to the provisions for set-offs in § 280.111. The producer shall direct to whom payment of the purchase price shall be made.

**§ 280.114 Delivery.** The producer who signs a Purchase Agreement (CCC Purchase Form 1) shall not be obligated to deliver any specified quantity of eligible peas to CCC. If the producer who signs a purchase agreement wishes to sell eligible peas to CCC, he shall within 30 days after May 1, 1948, or such earlier date as the Administrator of PMA may request, submit warehouse receipts representing eligible peas stored in an approved warehouse to the county committee. In the case of eligible peas not located in an approved warehouse, he shall notify the county committee of his intention to sell, and request delivery instructions. The producer must then complete delivery within the 15-day period immediately following the date the county committee issues delivery instructions, unless the county committee determines more time is needed for delivery. Delivery shall be made to such points or approved warehouses as the county committee shall designate.

**§ 280.115 Branch offices of CCC.** The branch offices of CCC and the areas served by them are shown below:

*Address and Area*

623 South Wabash Avenue, Chicago 5, Ill.: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.

300 Interstate Building, 418 East Thirteenth Street, Kansas City 8, Mo.: Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New

Mexico, Oklahoma, South Carolina, Texas, Wyoming.

326 McKnight Building, Minneapolis 1, Minn.: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Eastern Building, 513 Southwest Tenth Street, Portland 5, Oreg.: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

[SEAL] **C. C. FARRINGTON,**  
*Acting President,*  
*Commodity Credit Corporation.*

JULY 30, 1947.

[F. R. Doc. 47-7272; Filed, Aug. 1, 1947; 8:52 a. m.]

## TITLE 7—AGRICULTURE

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 233]

#### PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### LIMITATION OF SHIPMENTS

**§ 953.340 Lemon Regulation 233—(a) Findings.** (1) Pursuant to the marketing agreement and Order No. 53 (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which the section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

**(b) Order.** (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 3, 1947, and ending at 12:01 a. m., P. s. t., August 10, 1947, is hereby fixed at 475 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall

calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 31st day of July 1947.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

## PRORATE BASE SCHEDULE

[Storage Date: July 27, 1947. 12:01 a. m.  
August 3, 1947, to 12:01 a. m. August 17,  
1947]

Handler	Prorate base (percent)	Prorate base (percent)
Total	100.000	
Allen-Young Citrus Packing Co.	.000	
American Fruit Growers, Fullerton	.623	
American Fruit Growers, Lindsay	.000	
American Fruit Growers, Upland	.321	
Consolidated Citrus Growers	.000	
Corona Plantation Co.	.281	
Hazeltine Packing Co.	.370	
Leppla-Pratt, Produce Distributors Inc.	.000	
McKellips, C. H.-Phoenix Citrus Co.	.000	
McKellips Mutual Citrus Growers Inc.	.000	
Phoenix Citrus Packing Co.	.000	
Ventura Coastal Lemon Co.	1.430	
Ventura Pacific Co.	1.449	
Total A. F. G.	4.474	
Arizona Citrus Growers	.000	
Desert Citrus Growers Co., Inc.	.000	
Mesa Citrus Growers	.000	
Elderwood Citrus Association	.000	
Klinit Citrus Association	.000	
Lemon Cove Association	.000	
Glendora Lemon Growers Association	1.194	
La Verne Lemon Association	.676	
La Habra Citrus Association	1.396	
Yorba Linda Citrus Association	.648	
Alta Loma Hts. Citrus Association	.747	
Etiwanda Citrus Fruit Association	.207	
Mountain View Fruit Association	.370	
Old Baldy Citrus Association	1.021	
Upland Lemon Growers Association	4.785	
Central Lemon Association	1.105	
Irvine Citrus Association, The	1.001	
Placentia Mutual Orange Association	.411	
Corona Citrus Association	.104	
Corona Foothill Lemon Co.	1.322	
Jameson Co.	.576	
Arlington Heights Fruit Co.	.249	
College Heights Orange & Lemon Association	3.115	
Chula Vista Citrus Association, The	1.715	
El Cajon Valley Citrus Association	.055	
Escondido Lemon Association	2.568	
Fallbrook Citrus Association	1.494	
Lemon Grove Citrus Association	.303	
San Dimas Lemon Association	1.576	
Carpinteria Lemon Association	3.336	
Carpinteria Mutual Citrus Association	3.387	
Goleta Lemon Association	3.845	
Johnston Fruit Co.	5.990	
North Whittier Heights Citrus Association	.672	
San Fernando Heights Lemon Association	.791	
San Fernando Lemon Association	.329	
Sierra Madre-Lamanda Citrus Association	1.450	
Total Independents	1.483	

[F. R. Doc. 47-7313; Filed, Aug. 1, 1947;  
8:46 a. m.]

## PRORATE BASE SCHEDULE—Continued

Handler	Prorate base (percent)
Tulare County Lemon & Grapefruit Association	0.000
Briggs Lemon Association	3.408
Culbertson Investment Co.	.873
Culbertson Lemon Association	1.781
Filmore Lemon Association	1.097
Oxnard Citrus Association No. 1	3.716
Oxnard Citrus Association No. 2	3.437
Rancho Sespe	.882
Santa Paula Citrus Fruit Association	3.628
Saticoy Lemon Association	4.973
Seaboard Lemon Association	4.480
Somis Lemon Association	3.327
Ventura Citrus Association	1.794
Limoneira Co.	3.497
Teague-McKevett Association	1.064
East Whittier Citrus Association	.652
Leffingwell Ranch Lemon Association	.704
Murphy Ranch Co.	1.493
Whittier Citrus Association	.656
Whittier Select Citrus Association	.492

Total C. F. G. E. 88.392

Arizona Citrus Products Co.	.000
Chula Vista Mutual Lemon Association	.851
Escondido CoOp. Citrus Association	.278
Glendora CoOp. Citrus Association	.084
Index Mutual Association	.205
La Verne CoOp. Citrus Association	1.334
Libbey Fruit Packing Co.	.000
Orange CoOp. Citrus Association	.159
Pioneer Fruit Co.	.000
Tempe Citrus Co.	.000
Ventura Co. Orange & Lemon Association	2.582
Whittier Mutual Orange & Lemon Association	.158

Total M. O. D. 5.651

Abbate, Chas. Co., The	.000
Atlas Citrus Packing Co.	.000
California Citrus Groves, Inc. Ltd.	.000
Evans Bros. Pkg. Co.-Riverside	.000
Evans Bros. Pkg. Co.-Sentinel Butte Ranch	.000
Foothill Packing Co.	.025
Granada Packing House	.000
Harding & Leggett	.000
Morris Bros. Fruit Co.	.016
Orange Belt Fruit Distributors	1.284
Potato House, The	.000
Raymond Bros.	.000
Rooke, B. G. Packing Co.	.000
San Antonio Orchard Co.	.043
Sun Valley Citrus Packing Co.	.000
Sunny Hills Ranch, Inc.	.000
Valley Citrus Packing Co.	.000
Verity, R. H., Sons & Co.	.115
Western States Fruit & Produce Co.	.000

Total Independents 1.483

[F. R. Doc. 47-7313; Filed, Aug. 1, 1947;  
8:46 a. m.]

ketting agreement and order, and upon other available information, it is hereby found that the peach regulations, specified hereinafter, will not tend to effectuate the declared policy of the act after the termination date hereinafter stated.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and the 30-day effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this termination is based became available and the time when this termination must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

Pursuant to the aforesaid authority, *It is hereby ordered*, That the following peach regulations, issued pursuant to the provisions of the aforesaid marketing agreement and order, be, and the same hereby are, terminated at 12:01 a. m., e. s. t., August 3, 1947: § 962.301 (Peach Order 1, 12 F. R. 3601); and § 962.303 (Peach Order 3, as amended, 12 F. R. 4366, 4628).

Nothing contained herein shall be construed as (1) affecting or waiving any right, obligation, or liability which has arisen, or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of any of the said orders hereby terminated; (2) releasing or extinguishing any violation of any provision of any of the said orders hereby terminated which has occurred, or which, prior to the effective time of the provisions hereof, may occur; or (3) affecting or impairing any right or remedy of the Secretary of Agriculture of the United States, or of any other person, with respect to any violation of any provision of any of the said orders hereby terminated which has occurred, or which, prior to the effective time of the provisions hereof, may occur.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Cum. Supp., 962.1 et seq.)

Done at Washington, D. C., this 1st day of August 1947.

[SEAL]

C. F. KUNKEL,  
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-7338; Filed, Aug. 1, 1947;  
10:30 a. m.]

[Orange Reg. 189]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

## LIMITATION OF SHIPMENTS

§ 966.335 *Orange Regulation 189*—(a) Findings. (1) Pursuant to the marketing agreement and Order No. 62 (7 CFR, Cum. Supp., 962.1 et seq.), regulating the handling of fresh peaches grown in the State of Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Industry Committee, established under the aforesaid mar-

## RULES AND REGULATIONS

Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 3, 1947, and ending at 12:01 a. m., P. s. t., August 10, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1900 carloads; and (c) Prorate District No. 3, unlimited movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate Districts Nos. 1, 2, and 3, no movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 31st day of July 1947.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

## PRORATE BASE SCHEDULE

[12:01 a. m. Aug. 3, 1947 to 12:01 a. m. Aug. 10, 1947]

## VALENCIA ORANGES

## Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0695
A. F. G. Fullerton	.8271
A. F. G. range	.6112
A. F. G. Redlands	.2257

## PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued  
Prorate District No. 2—Continued

Handler	Prorate base (percent)
A. F. G. Riverside	0.1239
A. F. G. San Juan Capistrano	1.0456
A. F. G. Santa Paula	.3965
Corona Plantation Co.	.2314
Hazeltine Packing Co.	.2860
Signal Fruit Association	.0773
Azusa Citrus Association	.4246
Azusa Orange Co., Inc.	.1317
Damerel-Allison Co.	.8524
Glendora Mutual Orange Association	.3683
Irwindale Citrus Association	.3565
Puente Mutual Citrus Association	.1936
Valencia Heights Orchards Association	.4130
Glendora Citrus Association	.3381
Glendora Heights Orange & Lemon Growers Association	.0739
Gold Buckle Association	.6365
La Verne Orange Association	.6247
Anaheim Citrus Fruit Association	1.3500
Anaheim Valencia Orange Association	1.6044
Eadington Fruit Company, Inc.	2.2819
Fullerton Mutual Orange Association	1.7286
La Habra Citrus Association	1.1139
Orange County Valencia Association	.7306
Orangethorpe Citrus Association	1.1500
Placentia Coop. Orange Association	.8212
Yorba Linda Citrus Association	.5637
The	.0909
Alta Loma Heights Citrus Association	.1379
Citrus Fruit Growers	.1486
Cucamonga Citrus Association	.0406
Etiwanda Citrus Fruit Association	.1282
Old Baldy Citrus Association	.0911
Rialto Heights Orange Growers	.3895
Upland Citrus Association	.1464
Upland Heights Orange Association	2.0424
Consolidated Orange Growers	1.0281
Frances Citrus Association	1.7963
Garden Grove Citrus Association	.13595
Goldenwest Citrus Association	2.5708
The	1.7877
Irvine Valencia Growers	1.0971
Olive Heights Citrus Association	4.1642
Santa Ana-Tustin Mutual Citrus Association	1.7773
Santiago Orange Growers Association	1.9661
Tustin Hills Citrus Association	.3834
Villa Park Orchs. Association, The	.6207
Andrews Bros. of Calif.	1.6843
Bradford Bros. Corp.	2.6428
Placentia Mutual Orange Association	.0647
Placentia Orange Growers Association	.4422
Call Ranch	.0350
Corona Citrus Association	.3546
Jameson Company	.0545
Orange Heights Orange Association	2.5449
Break & Son, Allen	.0829
Bryn Mawr Fruit Growers Association	.3716
Crafton Orange Growers Association	.0824
E. Highlands Citrus Association	.0489
Fontana Citrus Association	.2561
Highland Fruit Growers Association	.1210
Krinard Packing Co.	.3918
Mission Citrus Association	.2403
Redlands Coop. Fruit Association	.2517
Redlands Heights Groves	.2731
Redlands Orange Growers Association	.1554
Redlands Orangedale Association	.1461
Redlands Select Groves	.1446
Rialto Citrus Association	.2412
Rialto Orange Co.	Southern Citrus Association

## PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued  
Prorate District No. 2—Continued

Handler	Prorate base (percent)
United Citrus Growers	0.1402
Zilen Citrus Co.	.0599
Arlington Heights Fruit Co.	.1084
Brown Estate, L. V. W.	.1270
Gavilan Citrus Association	.1438
Hemet Mutual Groves	.1081
Highgrove Fruit Association	.0746
McDermont Fruit Co.	.1834
Mentone Heights Association	.0648
Monte Vista Citrus Association	.2150
National Orange Co.	.0393
Riverside Growers, Inc.	.0919
Riverside Heights Orange Growers Association	.0842
Sierra Vista Packing Association	.0564
Victoria Avenue Citrus Association	.1693
Claremont Citrus Association	.1419
College Heights Orange and Lemon Association	.2127
El Camino Citrus Association	.0794
Indian Hill Citrus Association	.1599
Pomona Fruit Growers Exchange	.3418
Walnut Fruit Growers Association	.4153
West Ontario Citrus Association	.3479
El Cajon Valley Citrus Association	.3009
Escondido Orange Association	2.3246
San Dimas Orange Growers Association	.4838
Covina Citrus Association	1.1433
Covina Orange Growers Association	.3821
Duarte-Monrovia Fruit Exchange	.1707
Santa Barbara Orange Association	.0491
Ball & Tweedy Association	.5875
Canoga Citrus Association	.7326
North Whittier Heights Citrus Association	.8665
San Fernando Fruit Growers Association	.4214
San Fernando Heights Orange Association	.9160
Sierra Madre-Lamanda Citrus Association	.1875
Camarillo Citrus Association	1.4264
Fillmore Citrus Association	3.3964
Mupu Citrus Association	2.4049
Ojai Orange Association	.9349
Plu Citrus Association	1.9123
Santa Paula Orange Association	.8223
Tapo Citrus Association	1.0556
Limonera Co.	.3788
East Whittier Citrus Association	.3847
El Ranchito Citrus Association	1.3125
Murphy Ranch Co.	.4119
Rivera Citrus Association	.5205
Whittier Citrus Association	.7692
Whittier Select Citrus Association	.4698
Anaheim Coop. Orange Association	1.5423
Bryn Mawr Mutual Orange Association	.0871
Chula Vista Mutual Lemon Association	.0875
Escondido Coop. Citrus Association	.3177
Euclid Avenue Orange Association	.4038
Foothill Citrus Union, Inc.	.0317
Fullerton Coop. Orange Association	.4471
Garden Grove Orange Coop., Inc.	.8665
Glendora Coop. Citrus Association	.0538
Golden Orange Groves, Inc.	.2662
Highland Mutual Groves	.0635
Index Mutual Association	.2062
La Verne Coop. Citrus Association	1.3571
Olive Hillside Groves	.6120
Orange Coop. Citrus Association	1.0754
Redlands Foothill Groves	.5777
Redlands Mutual Orange Association	.1578
Riverside Citrus Association	.0653
Ventura County Orange and Lemon Association	.8927
Whittier Mutual Orange and Lemon Association	.1887
Babijuice Corp. of Calif.	.5023

## PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

## Prorate District No. 2—Continued

Handler	Prorate base (percent)
Banks Fruit Co.	0.2736
Banks, L. M.	.4699
Borden Fruit Co.	.8061
California Fruit Distributors	.2716
Cherokee Citrus Co., Inc.	.1120
Chess Company, Meyer W.	.2322
Escondido Avocado Growers	.0526
Evans Brothers Packing Co.	.2074
Gold Banner Association	.2759
Granada Hills Packing Co.	.0599
Granada Packing House	.2301
Hill, Fred A.	.0730
Inland Fruit Dealers	.0485
Mills, Edward	.0318
Orange Belt Fruit Distributors	.21649
Panno Fruit Company, Carlo	.0358
Paramount Citrus Association	.5122
Placentia Orchards Co.	.4327
Placentia Pioneer Valley Growers Association	.7198
San Antonio Orchards Co.	.4602
Santa Fe Groves Co.	.0484
Snyder & Sons Co., W. A.	.9861
Stephens, T. F.	.0833
Sunny Hills Ranch, Inc.	.1128
Ventura County Citrus Association	.0090
Verity & Sons Co., R. H.	.0344
Wall, E. T.	.1169
Webb Packing Co.	.2221
Western Fruit Growers, Inc., Ana	.0468
Western Fruit Growers, Inc., Reds	.5876
Yorba Orange Growers Association	.5861

[F. R. Doc. 47-7314; Filed, Aug. 1, 1947;  
8:46 a. m.]

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

## Chapter I—Bureau of Animal Industry

## Subchapter A—Meat Inspection Regulations

## PART 7—FACILITIES FOR INSPECTION

## PART 30—FEES

## CHARGES TO BE MADE FOR COST OF INSPECTION

By virtue of the authority vested in me by the provisions of the Department of Agriculture Appropriations Act for 1948 under the heading Bureau of Animal Industry, and act of July 24, 1919 (7 U. S. C. 394), Title 9, Chapter I, Subchapter A, Code of Federal Regulations, is hereby amended as follows effective immediately:

1. Section 7.4 is amended to read as follows:

**§ 7.4 Overtime work of meat inspection employees.** The management of an official establishment desiring to work under conditions which will require the services of an employee of the Division on Saturday, Sunday or a holiday or for more than 8 working hours of any day, including Monday through Friday, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to provide inspection service during such overtime period, and shall pay the Secretary of Agriculture therefor in accordance with § 30.4 of this subchapter. It will be administratively determined from time to time which days constitute holidays. (41 Stat. 241, Pub. Law 266, 80th Cong.; 7 U. S. C. 394)

2. A new Part 30, Fees is added to read as follows:

Sec.	
30.1	Fees.
30.2	Assurance of payment.
30.3	Rates.
30.4	Overtime.
30.5	Night differential.

**AUTHORITY:** §§ 30.1 to 30.5, inclusive, issued under 41 Stat. 241, Pub. Law 266, 80th Cong.; 7 U. S. C. 394.

**§ 30.1 Fees.** (a) Persons granted the inspection or furnished meat inspection services on and after July 1, 1947 shall pay the United States therefor in accordance with the requirements contained in this part.

(b) Fees shall be charged against a person granted the inspection or furnished meat inspection services and such fees shall be paid in accordance with the requirements contained in this part.

(c) All fees provided for in this part shall be paid not later than the last day of each four week period during which such inspection or services are received.

(d) The chief of Division shall withhold or withdraw the inspection or service upon non-payment of a fee in accordance with the requirements contained in this part.

**§ 30.2 Assurance of payment.** (a) A person who is receiving or who is about to receive any inspection or service shall post a bond or make other assurance of payment.

(b) The bond or other assurance of payment referred to in paragraph (a) of this section shall cover an amount equal to ten times the total weekly fee. The bond or other assurance of payment shall guarantee payment for all charges for inspection or service including overtime, holiday, and night differential pay referred to in this part.

(c) The chief of Division shall withhold or withdraw the inspection or service upon failure of a person who has requested or who is receiving the inspection or service to furnish the assurance of payment required in this part.

**§ 30.3 Rates.** (a) In determining the fee to be paid by a person receiving the inspection or service the chief of Division shall designate the number of inspectors necessary for the conduct of an efficient inspection service and such fee shall be stated in terms of man-weeks. The charge for a man-week shall be \$89.60 per week.

**§ 30.4 Overtime.** (a) For each hour of inspection or service received by a person during the periods of overtime referred to in § 7.4 of this subchapter, except holidays which occur any day Monday through Friday, such person shall pay therefor \$2.58 per man-hour.

(b) For each hour of inspection or service received by a person on a holiday which occurs any day Monday through Friday as referred to in § 7.4 of this subchapter, such person shall pay therefor \$1.64 per man-hour.

(c) The overtime charges referred to in paragraphs (a) and (b) of this section shall be in addition to the payment provided for in §§ 30.1, 30.2, and 30.3.

**§ 30.5 Night differential.** (a) For each hour of inspection or service re-

ceived by a person between the hours of 6:00 p. m. to 6:00 a. m., except when such hours come within a period of overtime referred to in § 7.4 of this subchapter, such person shall pay therefor \$0.16 per man-hour.

(b) The charge referred to in paragraph (a) of this section shall be in addition to the payment provided for in §§ 30.1, 30.2, and 30.3.

**Finding.** It is found that the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Congress; 60 Stat. 237), are impracticable and contrary to the public interest with respect to this regulation in that the Department of Agriculture Appropriation Act, 1948, under the heading "Bureau of Animal Industry", "Meat Inspection", provides that payments shall be made for inspection or services rendered on or after July 1, 1947, and these regulations are promulgated to effectuate the purposes of that provision.

Done at Washington, D. C., this 30th day of July 1947. Witness my hand and seal of the Department of Agriculture.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7274; Filed, Aug. 1, 1947;  
8:52 a. m.]

## TITLE 12—BANKS AND BANKING

## Chapter II—Federal Reserve System

## Subchapter A—Board of Governors of the Federal Reserve System

## PART 206—TRUST POWERS OF NATIONAL BANKS

## ACQUISITION OF INTEREST IN PARTICIPATIONS OF COMMON TRUST FUNDS

The following interpretation under this part relating to acquisition of interest in participations of common trust funds was issued by the Board of Governors of the Federal Reserve System on June 19, 1947:

**§ 206.101 Acquisition of interest in participations of common trust funds.** The Board was recently advised by a bank that it occasionally makes loans to the trustees of revocable living trusts secured by assignments of their interests in the trusts. The bank inquired whether, when such a loan is made to the trustee of a trust which holds participations in the common trust fund operated by the bank, the bank acquires an interest in such participations within the meaning of the following provisions of § 206.17 (a):

(2) A bank administering a Common Trust Fund shall not invest any of its own funds in such Common Trust Fund and if a bank, because of a creditor relationship or any other reason, acquires any interest in a participation in a Common Trust Fund under its administration the participation shall be withdrawn on the first date on which such withdrawal can be effected in accordance with the provisions of this section;

The Board is of the opinion that a loan such as that described may cause the bank to have an interest in participations

## RULES AND REGULATIONS

in the common trust fund, within the meaning of this part, even though there has been no default on the loan.

The Board has heretofore expressed the opinion that a plan for the operation of a common trust fund which contained the following provision is not in conflict with this part:

The Trust Company shall not be deemed to have acquired an interest in a participation in the common fund by reason of an advance to the trust holding such participation (1) if the Trust Company is not entitled to reimbursement out of the principal of the participating trust, or (2) if the advance is adequately secured by assets of the participating trust other than the participation in the common fund.

The Board believes that the same principles apply to loans of the character described above, and that this is as liberal an interpretation of this part as can be justified. Under the facts presented, it appears that the bank could resort to the principal of the participating trusts to collect the loans. Accordingly, in making such a loan, the bank acquires an interest in participations in the common trust fund, within the meaning of this part unless the loan is adequately secured by assets other than such participations. (Sects. 2, 3, 24 Stat. 18, sec. 11 (i), 38 Stat. 262, sec. 2, 40 Stat. 968, sec. 1, 40 Stat. 1043, 44 Stat. 1224, 46 Stat. 814, sec. 24, 48 Stat. 190, sec. 342, 49 Stat. 722, secs. 330, 331, 49 Stat. 718, 719, sec. 169, 49 Stat. 1708; 12 U. S. C. and Sup. 30, 31, 248 (i), 248 (k), 33, 34a, 26 U. S. C. Sup. 169)

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc. 47-7237; Filed, Aug. 1, 1947;  
8:50 a. m.]

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PART 220—CREDIT BY BROKERS, DEALERS,  
MEMBERS OF NATIONAL SECURITIES EX-  
CHANGES

BORROWING OF SECURITIES

The following interpretation under this part relating to credit by brokers, dealers, and members of national securities exchanges was issued by the Board of Governors of the Federal Reserve System on July 11, 1947:

§ 220.103 *Borrowing of securities.* The Board of Governors has been asked for a ruling as to whether § 220.6 (h), which deals with borrowing and lending of securities, applies to a borrowing of securities if the lender is a private individual, as contrasted with a member of a national securities exchange or a broker or dealer.

Section 220.6 (h) does not require that the lender of the securities in such a case be a member of a national securities exchange or a broker or dealer. Therefore, a borrowing of securities may be able to qualify under the provision even though the lender is a private individual, and this is true whether the security is registered on a national securities exchange or is unregistered. In borrowing securities from a private individual under § 220.6 (h), however, it becomes especially important to bear in mind two

limitations that are contained in the section.

The first limitation is that the section applies only if the broker borrows the securities for the purpose specified in the provision, that is, "for the purpose of making delivery of such securities in the case of short sales, failure to receive securities he is required to deliver, or other similar cases". The present language of the provision does not require that the delivery for which the securities are borrowed must be on a transaction which the borrower has himself made, either as agent or as principal; he may borrow under the provision in order to relend to someone else for the latter person to make such a delivery. However, the borrowing must be related to an actual delivery of the type specified—a delivery in connection with a specific transaction that has already occurred or is in immediate prospect. The provision does not authorize a broker to borrow securities (or make the related deposit) merely in order that he or some other broker may have the securities "on hand" or may anticipate some need that may or may not arise in the future.

The ruling in the 1940 Federal Reserve Bulletin, at page 647, is an example of a borrowing which, on the facts as given, did not meet the requirement. There, the broker wished to borrow stocks with the understanding that he "would offer to lend this stock in the 'loan crowd' on a national securities exchange." There was no assurance that the stocks would be used for the purpose specified in § 220.6 (h); they might be, or they might merely be held idle while the person lending the stocks had the use of the funds deposited against them. The ruling held in effect that since the borrowing could not qualify under § 220.6 (h) it must comply with other applicable provisions of the regulation.

The second requirement is that the deposit of cash against the borrowed securities must be "bona fide". This requirement naturally cannot be spelled out in detail, but it requires at least that the purpose of the broker in making the deposit should be to obtain the securities for the specified purpose, and that he should not use the arrangement as a means of accommodating a customer who is seeking to obtain more funds than he could get in a general account.

The Board recognizes that even with these requirements there is still some possibility that the provision may be misapplied. The Board is reluctant to impose additional burdens on legitimate transactions by tightening the provision. If there should be evidence of abuses developing under the provision, however, it would become necessary to consider making it more restricted. (Sec. 3 (a) and (b), sec. 7 (a), (b), (c), and (d), sec. 8 (a), sec. 17 (b) and sec. 23 (a), 48 Stat. 881, 886, 888, 897, and 901; sec. 8, 49 Stat. 1379; 15 U. S. C. 78c-(a) and (b), 78g-(a), (b), (c), and (d), 78h-(a), 78q-(b), 78w-(a))

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,  
[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc. 47-7238; Filed, Aug. 1, 1947;  
8:49 a. m.]

## TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs,  
Department of the Treasury

[T. D. 51725]

PART 8—LIABILITY FOR DUTIES, ENTRY OF  
IMPORTED MERCHANDISE

## EXEMPTIONS FROM INVOICE REQUIREMENTS

Section 8.15 (a), Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.15 (a)), as amended by T. D. 51036, 51105, 51222, 51333, 51588, 51686, and 51699, is hereby further amended by adding a new subparagraph (29) reading as follows:

(29) Flower bulbs, when unconditionally free of duty or subject only to a specific rate of duty not depending on value.

(Sec. 484, 46 Stat. 722, sec. 12, 46 Stat. 728, 759, 52 Stat. 1083, secs. 498, 624; 19 U. S. C. 1484, 1498, 1624)

[SEAL] FRANK DOW,  
Acting Commissioner of Customs.

Approved: July 29, 1947.

E. H. FOLEY, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-7251; Filed, Aug. 1, 1947;  
8:50 a. m.]

TITLE 20—EMPLOYEES'  
BENEFITS

Chapter III—Social Security Adminis-  
tration (Old-Age and Survivors In-  
surance), Federal Security Agency

[Reg. 3, further amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS  
INSURANCE

## EFFECT OF FELONIOUS HOMICIDE

Regulations No. 3, as amended (20 CFR, Cum. Supp., 403.1 et seq.), are further amended as follows:

1. Section 403.408 (b) (2) is amended by adding at the end thereof, immediately following subdivision (v), a new subdivision (vi) as follows:

§ 403.408 Lump-sum death pay-  
ments. \* \* \*

(b) Persons entitled to receive pay-  
ments. \* \* \*

(2) Persons equitably entitled. \* \* \*

(vi) Any individual who has been finally convicted by a court of competent jurisdiction of the felonious homicide of the deceased (see § 403.409).

2. A new § 403.409 and example is added immediately following § 403.408 as follows:

§ 403.409 Effect of felonious homicide. An individual who has been finally convicted by a court of competent jurisdiction of the felonious homicide of an insured individual shall not be entitled to benefits or a lump-sum death payment with respect to the wages of such deceased individual, and he shall be considered nonexistent in determining the entitlement of other individuals to benefits or a lump sum with respect to such wages.

Example. C, age 17, the sole surviving unmarried child of H, who died fully insured,

has been convicted of the murder of his father. H was also survived by his widow, W, age 45, the mother of C.

Neither C nor W is entitled to monthly benefits, since C's right has been forfeited and W has no child of H entitled to benefits in her care. However, a lump-sum payment may be made to W if she is otherwise entitled, and W also may become entitled to widow's monthly benefits when she reaches age 65.

(Sec. 1102, 49 Stat. 647, sec. 205 (a), 53 Stat. 1368; 42 U. S. C. 405 (a); sec. 4 of Reorg. Plan No. 2 of 1946, 11 F. R. 7873)

Dated: July 28, 1947.

[SEAL] MAURINE MULLINER,  
Acting Commissioner  
for Social Security.

Approved: July 29, 1947.

MAURICE COLLINS,  
Acting Federal Security  
Administrator.

[F. R. Doc. 47-7270; Filed, Aug. 1, 1947;  
8:52 a. m.]

## TITLE 21—FOOD AND DRUGS

### Chapter II—Bureau of Narcotics, Department of the Treasury

#### FINDING WITH REGARD TO DRUG AMIDONE

CROSS REFERENCE: For order proclaiming and making effective the finding of the Secretary of the Treasury with regard to the drug amidone having addiction-forming and addiction-sustaining liability similar to morphine, see Proclamation 2738, *supra*.

## TITLE 24—HOUSING CREDIT

### Chapter VIII—Office of Housing Expediter

[Suspension Order S-15]

#### PART 807—SUSPENSION ORDERS

##### JOHN MACRINA AND NICHOLAS MACRINA

John Macrina and Nicholas Macrina, 431 Mohawk Street, Herkimer, New York, on or about March 1, 1947, began and thereafter carried on construction of a commercial structure for a bowling alley located at Caroline Street, just off Mohawk Street, Herkimer, New York, without authorization and at a cost of about \$27,500. This constituted a wilful violation of Veterans' Housing Program Order 1 and continuation of construction would constitute a violation of the Construction Limitation Regulation, issued June 30, 1947, under the Housing and Rent Act of 1947, resulting in a diversion of scarce materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing it is hereby ordered that:

##### § 807.15 Suspension Order No. S-15.

(a) Neither John Macrina, Nicholas Macrina, their successors or assigns, nor any other person shall do any further construction on the structure at Caroline Street, just off Mohawk Street, Herkimer, New York, including putting up, completing, or altering the structure, unless hereafter authorized in writing by the Office of the Housing Expediter.

(b) John Macrina and Nicholas Macrina shall refer to this order in any application or appeal which they or either of them may file with the Office of the Housing Expediter for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve John Macrina, Nicholas Macrina, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 1st day of August 1947.

OFFICE OF THE HOUSING  
EXPEDITER,  
By JAMES V. SARCONE,  
Authorizing Officer.

[F. R. Doc. 47-7340; Filed, Aug. 1, 1947;  
10:29 a. m.]

[Suspension Order S-46]

#### PART 807—SUSPENSION ORDERS

##### L. T. KOESTER AND WILLIAM STONE

L. T. Koester and William Stone, on or about April 26, 1946, without authorization, began and thereafter until November 5, 1946, carried on construction of a one-story concrete block building with sandstone veneered front, for use as a bowling alley and soft drink and lunch counter, located at 633 W. Water Street, Piqua, Ohio, the estimated cost of which construction was \$35,000. On November 5, 1946, said construction was stopped as a result of a telegram from the Civilian Production Administration. On December 10, 1946, approval was given by Civilian Production Administration to said parties under CPA Form 4423, serial number 3-2-19-C, to do certain work to protect the materials already incorporated in the building, namely, to complete front wall and finish roof, at an estimated cost of \$500. Construction on said structure was resumed in December, 1946, under said authorization and thereafter carried on to an extent which was in excess of the specifically authorized cost of \$500. The beginning of construction on April 26, 1946, and carrying on of construction until November 6, 1946, as aforesaid, and the carrying on of construction after December 10, 1946, in excess of the amount specifically authorized as aforesaid, constituted wilful violations of Veterans' Housing Program Order 1, and continuation of construction would be in violation of Construction Limitation Regulation, issued June 30, 1947 under the Housing and Rent Act of 1947. These violations have diverted scarce materials to uses not authorized by the Office of the Housing Expediter. In view of the foregoing, it is hereby ordered that:

##### § 807.46 Suspension Order No. S-46.

(a) Neither L. T. Koester, William Stone, their successors and assigns, nor any other person shall do any further construction on the building located at 633 W. Water Street, Piqua, Ohio, other than the construction which was specifically

authorized by the approval on December 10, 1946, of Application Form CPA 4423, serial number 3-2-19-C, unless such additional construction is hereafter authorized by the Office of the Housing Expediter.

L. T. Koester and William Stone shall refer to this order in any application or appeal which they may file with the Office of the Housing Expediter relating to the above premises.

(c) Nothing contained in this order shall relieve L. T. Koester and William Stone, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Office of the Housing Expediter, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 1st day of August 1947.

OFFICE OF THE HOUSING  
EXPEDITER,  
By JAMES V. SARCONE,  
Authorizing Officer.

[F. R. Doc. 47-7339; Filed, Aug. 1, 1947;  
10:29 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VII—Sugar Rationing Adminis- tration, Department of Agricul- ture

[Gen. Order 9]

#### PART 705—ADMINISTRATION

##### PRESERVATION OF RECORDS WITH RESPECT TO PRICE CONTROL OF SUGAR

Pursuant to the authority conferred upon the Secretary of Agriculture by the Sugar Control Extension Act of 1947, it is ordered:

§ 705.109 *Preservation of records with respect to price control of sugar.* (a) All persons shall preserve for examination by the Department of Agriculture, until October 31, 1948, all records, documents, reports, books, accounts, invoices, sales lists, sales slips, orders, vouchers, contracts, receipts, bills of lading, correspondence, memoranda, and other papers, and drafts and copies thereof, which were required to be made or kept on March 31, 1947, with respect to price control of sugar by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, the Sugar Control Extension Act of 1947, or by any regulation, order or other document issued thereunder by the Price Administrator, Office of Price Administration, the Temporary Controls Administrator, Office of Temporary Controls or by the Secretary of Agriculture.

(b) *Definitions.* When used in this section the term:

(1) "Person" shall have the same meaning as in the Emergency Price Control Act of 1942, as amended.

(2) "Sugar" shall have the same meaning as in the Sugar Control Extension Act of 1947.

This order shall become effective July 28, noon, 1947.

NOTE: The record-keeping requirements of this order have been approved by the Bureau

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of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 30, 80th Cong., 1st session)

Issued this 30th day of July 1947.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7304; Filed, Aug. 1, 1947; 9:32 a. m.]

[Rev. Gen. R. O. 18]

**PART 705—ADMINISTRATION**

**DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF ARMED FORCES; ORDER OF REVOCATION**

Subject to section 5.1 of General Ration Order 8, Revised General Ration Order 18 (Distribution of Bases to Certain Former Members of the Armed Forces) is revoked.

This order of revocation shall become effective July 28, noon, 1947.

Issued this 28th day of July 1947.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7305; Filed, Aug. 1, 1947; 9:32 a. m.]

[Gen. R. O. 19]

**PART 705—ADMINISTRATION**

**DISTRIBUTION OF BASES TO CERTAIN NEW USERS; ORDER OF REVOCATION**

Subject to section 5.1 of General Ration Order 8, General Ration Order 19 (Distribution of Bases to Certain New Users) is revoked.

This order of revocation shall become effective July 28, noon, 1947.

Issued this 28th day of July 1947.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7308; Filed, Aug. 1, 1947; 9:33 a. m.]

[Gen. R. O. 20]

**PART 705—ADMINISTRATION**

**ORDER OF REVOCATION**

Subject to section 5.1 of General Ration Order 8, General Ration Order 20 is hereby revoked except that all records required to be kept under the provisions of General Ration Order 20 before the effective date of this revocation order shall continue to be preserved for thirty days after the effective date of this revocation order.

This order of revocation shall become effective July 28, noon, 1947.

Issued this 28th day of July 1947.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7308; Filed, Aug. 1, 1947; 9:32 a. m.]

[3d Rev. R. O. 3]

**PART 707—RATIONING OF SUGAR**

**ORDER OF REVOCATION**

Subject to section 5.1 of General Ration Order 8, Third Revised Ration

Order 3 (Sugar Rationing) and all Sugar Rationing Administration Suspension Orders relating to sugar covered by Third Revised Ration Order 3 are revoked except that all records required to be kept under the provisions of Third Revised Ration Order 3 on July 27, 1947, shall be continued to be preserved for thirty days after the effective date of this revocation order.

This order of revocation shall become effective July 28, noon, 1947.

Issued this 28th day of July 1947.

N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-7307; Filed, Aug. 1, 1947; 9:33 a. m.]

**Chapter VIII—Office of International Trade, Department of Commerce**

**Subchapter B—Export Control**

[Amtd. 345]

**PART 801—GENERAL REGULATIONS**

**PROHIBITED EXPORTATIONS**

Section 801.2 *Prohibited exportations* is amended as follows:

The list of commodities set forth in paragraph (b) is amended by deleting therefrom the following commodities:

*Dept of Com.*  
*Sched. B No.* *Commodity*

Fish and fish products:

007800 Fish, salted, pickled or dry-cured: Cod, haddock, hake, pollock and cusk.

Cotton, unmanufactured:

300401 Linters:

300600 Other than first cut, grades 1 to 3, inclusive.

Cotton, semimanufactures:

300600 Cotton pulp (include cottonseed hull shavings pulp, cotton pulp-board and bleached and purified linters).

Paper, related products and manufactures:

473500 Sheathing and building paper: Roofing felt paper.

Paper, related products and manufactures:

473600 Fiber insulation board  $\frac{1}{16}$ " and over in thickness, except quilt or blanket types (include of cane and other fiber).

473800 Wallboard, paper or pulp,  $\frac{1}{8}$ " to less than  $\frac{1}{16}$ " in thickness (include of cane and other fiber).

Petroleum and products:

504500 Paraffin wax:

504600 Unrefined, including slack wax.

505900 Semi-refined, only.

505900 Indralatum wax.

505900 Plasticrude wax.

505900 Substitute mineral waxes derived from petroleum bases (including substitutes for microcrystalline waxes, petro-latum waxes, and tank bottom short fiber waxes).

505900 All other slop waxes.

533300 Clay and clay products:

533300 Lavatories and wall lavatories.

Other nonmetallic minerals, including precious:

545915 Asbestos cement sheets  $\frac{1}{4}$ " thick and under, other than electrical or insulating.

Other nonmetallic minerals, including precious:

596025 Mineral wax except ceresin, orange and white; hardening; and microcrystalline.

*Dept. of Com.*  
*Sched. B No.* *Commodity*

607798 Steel mill products:

The following iron and steel pipe fittings, over 150 lb. pressure, only: Couplings, galvanized pipe fittings; malleable iron pipe fittings; pipe joints, grey iron, extension; pipe nipples, lap-welded, black; pipe plugs; pipe unions; screw elbows; swage nipples.

Iron and steel manufactures: Bathtubs, cast iron and steel, enameled.

Lavatories and wall lavatories. Hinges and butts, iron and steel, except cabinet and furniture hinges.

Other builders' hardware, including only door knobs, mortise latches, lock parts, sash balances.

Brass and bronze manufactures:

Plumbers' brass goods except flushometers and thermostatic water mixing valves (include faucets, cocks, shower and bath fittings, and other brass plumbing fixtures).

Electrical machinery and apparatus:

Sockets, outlets, fuse blocks, lighting switches and parts, n. e. s. except contractor switches and parts; flush switches and parts; interior cutouts and parts; key sockets and parts; keyless sockets and parts; lamp sockets and parts; mogul sockets and parts; pullchain sockets and parts; push sockets and parts; pushbutton switches and parts; receptacles and parts; except charging and train line (report receptacles, charging and train line in 709500); snap switches and parts, rotary; surface switches and parts; toggle switches and parts; tumbler switches and parts; and wiring sockets.

Other industrial machinery:

Sawmill machinery and parts.

Pigments, paints, and varnishes: Chrome pigments containing 10% or more chromium:

842900 Lead free chrome pigments only.

969600 Miscellaneous commodities, n. e. s.: Roofing, asbestos.

(Secs. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215, Pub. Law 145, 80th Cong., Pub. Law 188, 80th Cong.; 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12245)

Dated: July 24, 1947.

FRANCIS MCINTYRE,  
Director,  
Export Control Branch.

[F. R. Doc. 47-7244; Filed, Aug. 1, 1947; 8:49 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter I—Interstate Commerce Commission**

**Subchapter B—Carriers by Motor Vehicle**

**PART 180—CONTROL OR CONSOLIDATION OF MOTOR CARRIERS AND THEIR PROPERTIES**

**COMBINATION OF MOTOR VEHICLES**

At a general session of the Interstate Commerce Commission, held at its office

in Washington, D. C., on the 14th day of July A. D. 1947.

Our order of June 6, 1940, 5 F. R. 2270, having prescribed what shall constitute a motor vehicle for the purpose of computing the number of motor vehicles involved in transactions subject to section 213 of the Motor Carrier Act, and

It appearing, that section 213 (49 U. S. C. 213) was repealed, effective September 18, 1940, and the provisions of that section which relate to consolidation, merger, and acquisition of control in so far as they affect motor carriers are now incorporated in section 5 of the Interstate Commerce Act, and

It further appearing, that the public rule making procedure in accordance with section 4 of the Administrative Procedure Act is unnecessary for the reason that this order is merely a reissue of an existing rule for the purpose of showing reference to section 5 of the Interstate Commerce Act which has superseded former section 213, it is ordered, that:

**§ 180.2 Definitions.** For the purpose of § 180.3:

(a) The term "tractor" shall mean any motor vehicle designed and used primarily for drawing other vehicles and so constructed as to carry a part of the weight of the vehicle and load so drawn; and

(b) The term "semi-trailer" shall mean any motor vehicle, other than a pole trailer or a single motor vehicle transported in drive-away operations by means of a saddle-mount, with or without motive power and designed to be drawn by another motor vehicle and so constructed that some part of its weight and that of its load rests upon the towing vehicle.

**§ 180.3 Computation of vehicles involved in unifications.** In computing the number of motor vehicles of a person involved in unifications under the provisions of section 5 of the Interstate Commerce Act (49 U. S. C. 5), the combination of a tractor and a semi-trailer shall be deemed a single motor vehicle and any one tractor may be paired with any one semi-trailer as a single motor vehicle but any tractor or any semi-trailer in excess of those so paired shall be computed as one motor vehicle.

This order shall be effective September 1, 1947, and shall continue in effect until the further order of the Commission.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

(49 Stat. 545, 555, 52 Stat. 1237, 54 Stat. 905, 920, 924; 49 U. S. C. 5, 303 (a) (13), 312 (b))

By the Commission.

[SEAL] **W. P. BARTEL,**  
Secretary.

[F. R. Doc. 47-7241; Filed, Aug. 1, 1947;  
8:49 a. m.]

office in Washington, D. C., on the 28th day of July A. D. 1947.

Upon further consideration of the record in the above-entitled proceeding and upon consideration of petitions filed by interested parties, and good cause appearing therefor:

*It is ordered*, That the period of exemption from the requirements of Part III of the Interstate Commerce Act of contract carriers by water insofar as they are engaged in such operations as are described in the order entered in said proceeding by the Commission, Division 4, on August 26, 1941 (§ 315.1 *Oil field equipment, marshlands, Louisiana and Texas*) be, and it is hereby, further extended until the further order of the Commission.

(54 Stat. 930; 49 U. S. C. 902 (e))

By the Commission, Division 4.

[SEAL] **W. P. BARTEL,**  
Secretary.

[F. R. Doc. 47-7242; Filed, Aug. 1, 1947;  
8:49 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### PART 1—REGULATIONS AND ORDERS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

**CROSS REFERENCE:** For amendments of the Migratory Bird Treaty Act regulations adopted by the Secretary of the Interior which affect §§ 1.3, 1.4 and 1.5, see Proclamation 2739, *supra*.

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

##### 19 CFR, Part 2011

#### HANDLING OF SHIPPERS PROCEEDS BY MARKET AGENCIES AND LICENSEES UNDER PACKERS AND STOCKYARDS ACT

##### NOTICE OF PROPOSED RULE MAKING

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture proposes to issue a rule amending § 201.42 of the regulations under the Packers and Stockyards Act (9 CFR, Part 201) to read as follows:

**§ 201.42 Shippers' proceeds accounts.** Every market agency and licensee shall deposit the gross proceeds received from the sale of livestock or live poultry handled on a commission or agency basis in a separate bank account designated as follows (using the name of "John Doe Commission Company," as an example): "John Doe Commission Company—Custodial Account for Shippers' Proceeds." Such account shall be drawn on only for the payment of the net proceeds to the

person or persons entitled thereto and to obtain therefrom the sums due the market agency or licensee as compensation for its services as set out in its tariffs and for such sums as may be required to pay all legal charges against the consignments of livestock or live poultry as a market agency or licensee may, in its capacity as agent, be required to pay for and on behalf of the owner or consignor. No funds, other than the gross proceeds received from the sale of livestock or live poultry, shall be deposited in said account. The market agency or licensee in each case shall keep such accounts and records as will at all times disclose the names of consignors and the amount due and payable to each from funds in the Custodial Account for Shippers' Proceeds.

Therefore, notice is hereby given that an oral hearing will be held on the proposed rule in Room 5087, South Building, United States Department of Agriculture, Washington, D. C., commencing at 10:00 a. m., e. d. s. t., on August 21, 1947. Any interested person who desires to do so may appear at that hearing and present any data, views, or argument orally on the proposed rule.

Done at Washington, D. C., this 29th day of July 1947.

[SEAL] **H. E. REED,**  
Director, Livestock Branch,  
Production and Marketing  
Administration.

[F. R. Doc. 47-7278; Filed, Aug. 1, 1947;  
8:52 a. m.]

### DEPARTMENT OF COMMERCE

#### Bureau of the Census

##### 15 CFR, Part 301

#### FOREIGN TRADE STATISTICS

#### FILING OF EXPORT DECLARATIONS FOR SHIPMENTS OF MERCHANDISE BY AIR

Pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong.) and the authority contained in section 161 (5 U. S. C. 22) of the Revised Statutes, section 4, 32 Stat. 826 (5 U. S. C. 601) and section 7, 44 Stat. 572 (49 U. S. C. 177 (c)), notice is hereby given that the Director of the Census is considering a proposal to issue proposed Foreign Commerce Statistical Decision 64, as shown below, amending the For-

## PROPOSED RULE MAKING

ign Commerce Statistical Regulations to incorporate therein § 30.33b containing definite provisions with respect to the filing and the place of filing of the required Shipper's Export Declarations for merchandise exported by aircraft.

All persons who desire to submit written data, views or arguments in connection with the proposed Foreign Commerce Statistical Decision 64 may do so by filing them in quadruplicate with the Bureau of the Census, Washington 25, D. C., within 30 days from the date of publication of this notice in the **FEDERAL REGISTER**.

1. Section 30.33 is renumbered by adding thereto the lower-case letter "a," and the section will hereafter be known as § 30.33a.

2. Section 30.33b is added to read as follows:

§ 30.33b *Shipments of merchandise by air; exports of aircraft flown from the United States.* (a) Shipper's Export

Declarations on Commerce Form 7525 must be filed by the shipper for all merchandise shipped on:

(1) Aircraft clearing from the United States, Alaska, Hawaii and Puerto Rico for foreign countries, the Virgin Islands of the United States and the Canal Zone;

(2) Aircraft clearing from one of the following areas to another: the mainland of the United States, Alaska, Hawaii and Puerto Rico; and

(3) Aircraft clearing from the Virgin Islands of the United States to foreign countries and the Canal Zone.

(b) Shipper's Export Declarations on Commerce Form 7525 must also be filed by the exporter for aircraft being flown from the United States for foreign account in all cases where clearance of aircraft is required.

(c) Shipper's Export Declarations should be filed at the port of lading of the cargo. However, when cargo is laden at a port other than the last port from

which the aircraft finally obtains clearance from the United States for its foreign destination, a notation of the fact that export declarations have been filed should be made on the aircraft commander's copy of the outward manifest at the time the cargo is laden. This notation shall serve to inform Collectors of Customs officials at ports other than the port of lading that export declarations have previously been filed for the cargo.

Foreign Commerce Statistical Decision 24 is rescinded.

(R. S. 161, sec. 4, 32 Stat. 826; sec. 7, 44 Stat. 572; 5 U. S. C. 22, 601; 49 U. S. C. 177 (c))

[SEAL]

J. C. CAPT,  
Director.

[F. R. Doc. 47-7239; Filed, Aug. 1, 1947;  
8:49 a. m.]

## NOTICES

## DEPARTMENT OF AGRICULTURE

Production and Marketing  
Administration

[P. & S. Docket No. 344]

UNION STOCK YARDS CO. OF OMAHA, LTD.

## NOTICE OF PETITION FOR MODIFICATION

By supplemental orders dated August 30, 1946, and September 27, 1946, the respondent has been permitted to assess certain temporary rates and charges which are due to expire on September 8, 1947, unless such orders are modified or extended.

By petition dated July 9, 1947, and filed with the Hearing Clerk on July 25, 1947, the respondent has requested that the rates and charges provided for in said orders be extended for a further period of one year.

It appears that public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of such petition for extension of temporary rates. All interested persons who desire to be heard upon the matter requested in said petition shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this notice.

A copy hereof shall be served upon the respondent by registered mail or in person.

Done at Washington, D. C., this 29th day of July 1947.

[SEAL] H. E. REED,  
Director, Livestock Branch, Pro-  
duction and Marketing Ad-  
ministration.

[F. R. Doc. 47-7271; Filed, Aug. 1, 1947;  
8:52 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 2838]

HAWAIIAN AIRLINES, LTD.

## NOTICE OF HEARING

In the matter of the application of Hawaiian Airlines, Ltd., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended, for amendment of its certificate of public convenience and necessity with respect to the designation of certain intermediate points within the Hawaiian Islands.

Notice is hereby given pursuant to sections 401 and 1001 of the Civil Aeronautics Act of 1938, as amended, that a public hearing in the above-entitled matter is assigned to be held on August 6, 1947, at 10:00 o'clock a. m., daylight saving time, in Conference Room A of the Departmental Auditorium, Constitution Avenue NW., between 12th and 14th Streets, Washington, D. C., before Examiner F. A. Law, Jr.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed amendment of the certificate of public convenience and necessity held by Hawaiian Airlines, Ltd., is required by the public convenience and necessity.

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the act and rules, regulations, and requirements of the Board thereunder.

For further details of the authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Notice is further given that any person desiring to be heard in this proceeding must file with the Board on or before August 6, 1947, a statement setting forth the issues of fact or law raised by said

application which he desires to controvert.

Dated at Washington, D. C., July 29, 1947.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Acting Secretary.

[F. R. Doc. 47-7248; Filed, Aug. 1, 1947;  
8:50 a. m.]

FEDERAL COMMUNICATIONS  
COMMISSION

[Docket Nos. 6913, 8160]

PRESQUE ISLE BROADCASTING CO. (WERC)  
AND WLEU BROADCASTING CO.

## ORDER CONTINUING HEARING

In re application of Presque Isle Broadcasting Company (WERC), Erie, Pennsylvania, for modification of broadcast license, Docket No. 8160, File No. BS-1128; WLEU Broadcasting Company (WLEU), Erie, Pennsylvania, for construction permit, Docket No. 6913, File No. BP-4115.

The Commission having under consideration a petition filed July 9, 1947, by Presque Isle Broadcasting Company (WERC), Erie, Pennsylvania, requesting a continuance to September 15, 1947, in the hearing presently scheduled for July 28, 1947, in the proceeding upon the show cause order of the above-entitled applications;

*It is ordered*, This 11th day of July 1947, that the instant petition for continuance be, and it is hereby, granted; and the said hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 o'clock a. m., Monday, September 15, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7252; Filed, Aug. 1, 1947;  
8:51 a. m.]

[Docket No. 6987]

PORT HURON BROADCASTING CO. (WHLS)

## ORDER CONTINUING HEARING

In re application of Port Huron Broadcasting Company (WHLS), Port Huron, Michigan, for renewal of license, Docket No. 6987, File No. BR-976.

The Commission having scheduled a hearing upon the above-entitled application for 10:00 o'clock a. m., Wednesday, July 23, 1947, at Washington, D. C.; and

It appearing, that public interest, convenience and necessity will be served by a continuance of said hearing; and that the applicant consents to such continuance;

*It is ordered*, This 18th day of July 1947, on the Commission's own motion, that the said hearing upon the above-entitled application be, and it is hereby, continued to 10:00 o'clock a. m., Thursday, September 25, 1947, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7254; Filed, Aug. 1, 1947;  
8:51 a. m.]

[Docket Nos. 7373, 8437]

THOMAS G. HARRIS AND WILLIAMSON  
COUNTY BROADCASTING CO.ORDER DESIGNATING APPLICATIONS FOR  
CONSOLIDATED HEARING ON STATED ISSUES

In re application of Thomas G. Harris, individually and as trustee for Coleman Gay, James P. Alexander, E. G. Kingsberry, Rex D. Kitchens, Spencer J. Scott and Hardy C. Harvey, Austin, Texas, Docket No. 7373, File No. BP-4355; Graham Gillis Conoley, Dr. Raymond Garrett and Ross K. Prescott d/b as Williamson County Broadcasting Company, Taylor, Texas, Docket No. 8437, File No. BP-6139; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1947;

The Commission having under consideration the above-entitled application of Thomas G. Harris, individually and as Trustee for Coleman Gay, James P. Alexander, E. G. Kingsberry, Rex D. Kitchens, Spencer J. Scott and Hardy C. Harvey requesting a construction permit for a new standard broadcast station to operate on 1260 kc, 1 kw, daytime only, at Austin, Texas, and the above-entitled application of Graham Gillis Conoley, Dr. Raymond Garrett and Ross K. Prescott d/b as Williamson County Broadcasting Company, requesting a construction permit for a new standard broadcast station to operate on 1260 kc, 1 kw, daytime only, at Taylor, Texas;

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the

applicant Thomas G. Harris, as an individual and trustee, and of the applicant partnership Williamson County Broadcasting Company and the partners to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7258; Filed, Aug. 1, 1947;  
8:51 a. m.]

[Docket No. 7848]

COMMUNITY BROADCASTING CO.

## ORDER CONTINUING HEARING

In re application of Community Broadcasting Company, Fort Worth, Texas, for construction permit, Docket No. 7848, File No. BP-5182.

The Commission having under consideration a petition filed July 11, 1947, by Community Broadcasting Company, Fort Worth, Texas, requesting a 60-day continuance in the hearing upon its above-entitled application which is presently scheduled for July 21, 1947, at Washington, D. C.;

*It is ordered*, This 11th day of July, 1947, that the instant petition be, and it is hereby, granted; and the said hearing upon the above-entitled application be, and it is hereby, continued to 10:00 o'clock a. m., Monday, September 22, 1947, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7253; Filed, Aug. 1, 1947;  
8:51 a. m.]

[Docket No. 8306]

McCLATCHY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR  
HEARING ON STATED ISSUE

In re application of McClatchy Broadcasting Company, Stockton, California, for construction permit, File No. BPH-565, Docket No. 8306.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of July 1947;

The Commission having under consideration the above-entitled application for a construction permit for a new Class B-FM broadcast station at Stockton, California;

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled application be, and it is hereby, designated for hearing at a time and place to be specified by a subsequent order of the Commission, upon the following issue:

1. To determine what overlap of service areas, if any, exists between the proposed station and any other existing or proposed stations owned, operated or controlled by the same interests as the proposed station, and whether such overlap, if any, is in contravention of § 3.240 of the Commission's rules and regulations.

Notice is hereby given that § 1.857 of the Commission's rules and regulations shall not be applicable to this proceeding.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7255; Filed, Aug. 1, 1947;  
8:51 a. m.]

[Docket Nos. 8460, 8461]

RADIO LAKWOOD AND UNITED GARAGE AND  
SERVICE CORP.ORDER DESIGNATING APPLICATIONS FOR  
CONSOLIDATED HEARING ON STATED ISSUES

In re applications of James A. Butler and Jack N. Berkman, d/b as Radio Lakewood, Lakewood, Ohio, Docket No. 8460, File No. BP-5949; United Garage and Service Corporation, Lakewood, Ohio, Docket No. 8461, File No. BP-6156; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1947;

The Commission having under consideration the above-entitled applications of James A. Butler and Jack N. Berkman, d/b as Radio Lakewood, requesting a construction permit for a new standard broadcast station to operate on 1380 kc, with 250 w power, daytime only, at Lakewood, Ohio, and United Garage and Service Corporation, requesting a construction permit for a new standard broadcast station to operate on 1380 kc, with 500 w power, daytime only, at Lakewood, Ohio;

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for

## NOTICES

hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership Radio Lakewood, and the partners and of the applicant United Garage and Service Corporation, its officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7259; Filed, Aug. 1, 1947;  
8:52 a. m.]

[Docket No. 8464]

LEWIS SERVICE CORP.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Lewis Service Corporation, Weston, West Virginia, for construction permit, Docket No. 8464, File No. BP-6054.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of July 1947;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1450 kc, with 250 w power, unlimited time, at Weston, West Virginia;

*It is ordered*, That, pursuant to section 309 (a) of the Communications Act of

1934, as amended, the said application be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WPAR, Parkersburg, West Virginia, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

*It is further ordered*, That Ohio Valley Broadcasting Corp., Parkersburg, West Virginia, licensee of Station WPAR, be, and it is hereby, made a party to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7256; Filed, Aug. 1, 1947;  
8:51 a. m.]

KWBU, CORPUS CHRISTI, TEX.

NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE<sup>1</sup>

The Commission hereby gives notice that on July 16, 1947 there was filed with it an application for assignment of license of KWBU, Corpus Christi, Texas, from Century Broadcasting Company to Baylor University. The proposal to assign the license arises out of a contract of July 9, 1947 pursuant to which the holders of 50% of the outstanding common voting stock of the licensee (i. e., Crazy Water Company, owner of 250 shares, Fidelity Union Life Insurance Company, owner of 140 shares, Pat O'Daniel, owner

of 130 shares, Mike O'Daniel, owner of 130 shares and James M. Collins, owner of 100 shares) have agreed to sell their total of 750 shares to Baylor University, which presently owns the remaining 50% of stock of said licensee, for a purchase price of \$153.33 a share. The plan contemplates dissolution of the licensee and transfer of the station and its assets to Baylor University. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

On July 23, 1947 the Commission was advised that notice concerning the proposed sale of the above stock was inserted in the "Corpus Christi Caller" and the "Corpus Christi Times", two newspapers of general circulation at that place in conformity with § 1.321 of the Commission's regulations, commencing July 18, 1947.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from July 18, 1947 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. A. 310 (b))

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] T. J. SLOWIE,  
Secretary,

[F. R. Doc. 47-7260; Filed, Aug. 1, 1947;  
8:52 a. m.]

[Docket Nos. 8286, 8457-8459, 7607]

T. JULIAN SKINNER, JR., ET AL.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of T. Julian Skinner, Jr., Charlotte, North Carolina, Docket No. 8286, File No. BP-5817; William J. Brennan, Winston-Salem, North Carolina, Docket No. 8457, File No. BP-6068; Walter Olin Nisbet, Jr., Charlotte, North Carolina, Docket No. 8458, File No. BP-6074; Surety Broadcasting Company, Charlotte, North Carolina, Docket No. 8459, File No. BP-6088; Charlotte News Publishing Co., Charlotte, North Carolina, Docket No. 7607, File No. BP-3952; for construction permits.

On April 25, 1947, T. Julian Skinner, Jr., filed a waiver of hearing of his above-entitled application pursuant to § 1.391 of the rules. This application seeking the facilities 930 kilocycles, with 1 kilowatt power, unlimited time, and using a directional antenna, at Charlotte, North Carolina, was filed February 6, 1947, and was considered under the temporary expediting procedure with all other then-pending unlimited time applications for that frequency. On April 10, 1947, the application was designated for hearing in a consolidated proceeding with the application of Mid-Carolina Broadcasting Company requesting the frequency 940 kilocycles at Salisbury, North Carolina (File No. BP-5322, Docket No. 8029). On

<sup>1</sup> Section 1.321, Part I, Rules of Practice and Procedure.

May 2, 1947, the latter application was amended, with leave of the Commission, to specify the frequency 1280 kilocycles, and it was removed from the hearing docket. Since the aforesaid waiver of hearing was on file at the time the Mid-Carolina application was amended, the Skinner application was left in a hearing status. The other subject applications, seeking either 930 or 940 kilocycles, were, with the exception of that of Charlotte News Publishing Co., all accepted for filing after May 1, 1947, subsequent to the termination of the temporary expediting procedure. The application of Charlotte News Publishing Co., originally filed August 30, 1945, was amended May 26, 1947, to specify the frequency 930 kilocycles, and removed from the hearing docket.

We believe that action by the Commission in this case under the waiver procedure of § 1.391 of the rules is not justified and would be violative of the purpose for which that provision was adopted. Paragraphs (a) and (d) of § 1.391 follow:

(a) In the case of any broadcast applications designated for hearing, the parties may request the Commission to grant or deny the application upon the basis of the information contained in the applications and other papers specified in subsection (b), without the presentation of oral testimony. Any party desiring to follow this procedure should execute and file with the Commission a waiver in accordance with subsection (f) and serve copies on all other parties, or a joint waiver may be filed by all the parties. Upon the receipt of waivers from all parties to a proceeding, the Commission will decide whether the case is an appropriate one for determination without the presentation of oral testimony. If it is determined by the Commission that, notwithstanding the waivers, the presentation of oral testimony is necessary, the parties will be so notified and the case will be retained on the hearing docket. If the Commission concludes that the case can appropriately be decided without the presentation of oral testimony, the case will be removed from the hearing docket and the record will be considered as closed as of the date the waivers of all parties were first on file with the Commission.

(d) In all cases where the Commission issues a decision pursuant to this procedure without holding the usual hearing, an opinion will be issued by the Commission stating its reasons for its grant or denial of the individual applications. This decision shall have the same effect as a proposed decision, and the procedure thereafter to be followed shall be the same as in the case of a proposed decision made under the regular hearing procedure.

The purpose of § 1.391 was to afford a method of deciding cases without the presentation of oral testimony in those instances in which several applications were involved in conflicts or where one application had been designated for separate hearing for interference with existing stations, or for other reasons which might require a denial, and the reason for designation in either event was extant at the time the waiver was under consideration by the Commission. The procedure was not meant to apply to cases where the conflict or other reason requiring designation had been removed, either before or after a hearing date had been set, since the well established procedures provided by §§ 1.373 (h) and

1.386 of the rules afforded the machinery by which the application involved could be processed to the Commission for consideration on its merits.<sup>1</sup> And no good reason is apparent why § 1.391 of the rules should be construed to accord duplicate relief. On the contrary, if the waiver procedure were to be followed in the instant case, the applicant would have the status of one who had been through a hearing, since under § 1.387 (b) (3) all conflicting applications filed within 20 days prior to the date on which the waiver was filed would be subject to dismissal.<sup>2</sup> This is obviously unfair to those having copending application.

Inasmuch, therefore, as application of the waiver procedure of § 1.391 is not indicated in connection with the aforesaid application of T. Julian Skinner, and since the other subject applications are either mutually exclusive or involve objectionable interference therewith, the Commission is of the opinion that all

<sup>1</sup> Section 1.373 (h), relative to removal from hearing docket by the Motions Commissioner, provides as follows:

(h) Frequently, when two cases are designated for hearing because they are mutually exclusive, one of the applicants amends and removes the conflict. Where this occurs the appropriate procedure is to petition for leave to amend and remove from the hearing docket. Such motions will be considered promptly and if it appears that the conflict which caused the case originally to be set for hearing has been removed and there is no other obvious conflict, the two cases will be removed from the hearing docket and placed back in their proper position (as determined by the file numbers) in the processing line. Petitions for amendment, removal from the hearing docket, and grant will not be entertained insofar as they request a grant. The Motions Commissioner in acting on such petitions will dismiss the request for a grant. In such a case the matter will simply be put back in its proper place in line.

Section 1.386, relative to petitions for reconsideration and grant without hearing, provides as follows: "Where the Commission has designated an application for hearing, the applicant may file a petition requesting reconsideration and grant of the application without hearing. If the petition shows that a grant of the application without hearing would be consistent with § 1.382, the petition will be granted. Otherwise it will be denied."

<sup>2</sup> Section 1.387 (b). The Commission will on its own motion name as parties to the hearing.

(3) Any person who, prior to the time the application in question was designated for hearing, had filed with the Commission a mutually exclusive application. Any person filing an application that is mutually exclusive with another application or applications already designated for hearing will be consolidated for hearing with such other application or applications only if the application in question is filed at least 20 days before the date on which the hearing on the prior application or applications is scheduled. If the scheduled date is changed, the date last set shall govern in determining the timeliness of an application for purposes of this subsection. If the application is filed after the 20-day period, it will be dismissed without prejudice and will be eligible for refiling only after a decision is rendered by the Commission with respect to the application or applications designated for hearing or such applications are withdrawn or dismissed.

should be designated for hearing in a consolidated proceeding.

Accordingly, *It is ordered*, This 10th day of July 1947, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications of William J. Brennan, Walter Olin Nesbit, Surety Broadcasting Company and Charlotte News Publishing Co., be and they are hereby, designated for hearing in a consolidated proceeding with the said application of T. Julian Skinner, Jr., at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicants and of the applicant corporations, their officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the proposed installations and operations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

*It is further ordered*, That the order of the Commission, dated April 10, 1947, designating the said application of T. Julian Skinner, Jr., for hearing, as modified by the removal of the application of Mid-Carolina Broadcasting Company from the hearing docket, be, and it is hereby, amended to include the said applications of William J. Brennan, Walter Olin Nesbit, Surety Broadcasting Company, and Charlotte News Publishing Co., and to change issue number 8 thereof to read as issue number 7 above.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 47-7257; Filed, Aug. 1, 1947;  
8:51 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-709]

BIG INCH GAS, INC.

## NOTICE OF ORDER DISMISSING PROCEEDINGS

JULY 29, 1947.

Notice is hereby given that, on July 25, 1947, the Federal Power Commission issued its order entered July 22, 1947, dismissing proceeding in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-7234; Filed, Aug. 1, 1947;  
8:49 a. m.]

[Docket No. IT-6065]

MAGNOLIA PETROLEUM CO.

NOTICE OF DETERMINATION OF EMERGENCY  
AND GRANTING OF EXEMPTION FOR USE OF  
INTERCONNECTION

JULY 29, 1947.

Notice is hereby given that, on July 22, 1947, the Federal Power Commission issued its order approving the use and maintenance of interconnection between facilities of Magnolia Petroleum Company and Gulf State Utilities Company, for emergency use, to June 30, 1949, or the earlier termination of the emergency, in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-7232; Filed, Aug. 1, 1947;  
8:49 a. m.]

[Docket No. IT-6067]

OTTER TAIL POWER CO.

NOTICE OF ORDER AUTHORIZING AND  
APPROVING ISSUANCE OF SECURITIES

JULY 29, 1947.

Notice is hereby given that, on July 25, 1947, the Federal Power Commission issued its order entered July 24, 1947, authorizing and approving issuance of securities in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-7233; Filed, Aug. 1, 1947;  
8:49 a. m.]

[Project No. 1891]

DON JONES

## NOTICE OF ORDER RESCINDING ORDER AUTHORIZING ISSUANCE OF LICENSE (MAJOR) AND DISMISSING APPLICATION FOR LICENSE

JULY 28, 1947.

Notice is hereby given that, on July 25, 1947, the Federal Power Commission issued its order entered July 22, 1947, rescinding order authorizing issuance of license (major) and dismissing application for license in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-7235; Filed, Aug. 1, 1947;  
8:50 a. m.]

## NOTICES

[Project No. 1951]

GEORGIA POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF  
LICENSE (MAJOR)

JULY 29, 1947.

Notice is hereby given that, on July 25, 1947, the Federal Power Commission issued its order entered July 24, 1947, authorizing issuance of license (major) in the above-designated matter.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 47-7236; Filed, Aug. 1, 1947;  
8:50 a. m.]INTERSTATE COMMERCE  
COMMISSION

[S. O. 764]

## UNLOADING OF LUMBER AT NASHVILLE, TENN.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of July A. D. 1947.

It appearing, that car NKP 17586 containing lumber at Nashville, Tennessee, on the Nashville, Chattanooga and St. Louis Railroad Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Lumber at Nashville, Tennessee on the NC&St.L RR., be unloaded.* The Nashville, Chattanooga and St. Louis Railroad Company, its agents or employees, shall unload immediately car NKP 17586, containing lumber, now on hand at Nashville, Tennessee, consigned to the Wayatt and Bell Company, % J. O. Kirkpatrick.

(b) *Notice and expiration.* Said carrier shall notify Homer C. King, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Nashville, Chattanooga and St. Louis Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.[F. R. Doc. 47-7240; Filed, Aug. 1, 1947;  
8:49 a. m.]SECURITIES AND EXCHANGE  
COMMISSION

[File Nos. 54-137, 59-58, 70-1178]

MIDLAND UTILITIES CO. ET AL.

## SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER ACCOUNTING ENTRIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of July 1947.

In the matter of Midland Utilities Company, File No. 54-137; Indiana Service Corporation, File No. 59-58; American Gas and Electric Company, File No. 70-1178.

Midland Utilities Company ("Utilities"), a registered holding company, having filed an application and amendments thereto pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 and other applicable sections of the act for approval of an amended plan of corporate simplification of its subsidiary, Indiana Service Corporation ("Indiana Service"), such plan providing, in general, for the recapitalization of Indiana Service, resulting in a new issue of common stock and the sale of that common stock to American Gas and Electric Company ("American Gas"), an unaffiliated registered holding company, the proceeds of such sale to be allocated among certain classes of existing securities of Indiana Service which are to be cancelled; and

The Commission having, on December 18, 1946, entered its order approving the amended plan subject to a reservation of jurisdiction over certain matters, including the accounting treatment incident to the carrying out of the plan (Holding Company Act Release No. 7086); and

Indiana Service having submitted the accounting entries which it proposes to record on its books in respect to the transactions which affect it; and

The Commission having considered the matter and it appearing that the jurisdiction as to the proposed accounting entries to be recorded on the books of Indiana Service should be released;

*It is hereby ordered, That the jurisdiction reserved as to the accounting entries in the order of December 18, 1946 in the above matter be, and hereby is, released to the extent that said jurisdiction affects Indiana Service.*

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.[F. R. Doc. 47-7245; Filed, Aug. 1, 1947;  
8:49 a. m.]

[File Nos. 59-29, 54-128, 59-12, 54-51]

PENNSYLVANIA POWER & LIGHT CO. ET AL.  
ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of July A. D. 1947.

In the matter of Pennsylvania Power & Light Company, National Power & Light

Company and Electric Bond and Share Company, File No. 59-29; Pennsylvania Power & Light Company, National Power & Light Company and Electric Bond and Share Company, File No. 54-128; Electric Bond and Share Company and National Power & Light Company, et al., File No. 59-12; Electric Bond and Share Company, National Power & Light Company, Pennsylvania Power & Light Company, Lehigh Valley Transit Company, The Edison Illuminating Company of Easton, et al., File No. 54-51. Applications 8, 9, and 10.

The Commission having, by order dated October 26, 1945 (Holding Company Act Release No. 6167), approved a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by Pennsylvania Power & Light Company, then an electric and gas utility subsidiary of National Power & Light Company, a registered holding company which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company, National Power & Light Company and Electric Bond and Share Company having joined in said plan; and

The Commission having in said order reserved jurisdiction over all legal fees and expenses proposed to be paid in connection with the transactions incident to the plan; and

An application having been filed by Simpson, Thacher & Bartlett, attorneys for Electric Bond and Share Company, requesting approval of the payment of legal fees in the sum of \$2,500 for services performed in connection with said plan; and

The Commission having considered said application and it appearing that said legal fees are not unreasonable and that jurisdiction in respect thereof should be released;

*It is ordered*, That the jurisdiction reserved in the order entered herein on October 26, 1945 be, and the same hereby is, released with respect to the legal fees of Simpson, Thacher & Bartlett, attorneys for Electric Bond and Share Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-7247; Filed, Aug. 1, 1947;  
8:50 a. m.]

[File No. 70-1456]

BUFFALO NIAGARA ELECTRIC CORP. AND  
NIAGARA FALLS POWER CO.

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of July 1947.

Buffalo Niagara Electric Corporation ("Buffalo"), a subsidiary of Niagara Hudson Power Corporation, in turn, a subsidiary of The United Corporation, a registered holding company, and The Niagara Falls Power Company ("Niagara"), a subsidiary of Buffalo, having filed a joint declaration, pursuant to Rule U-44 promulgated under the provisions

of the Public Utility Holding Company Act of 1935, regarding the sale by Buffalo to Niagara of certain water rights consisting of the right to take 262.6 cubic feet per second of water from the Hydraulic Basin of Niagara in the City of Niagara Falls; and the Commission by order dated February 28, 1947, having permitted said joint declaration to become effective subject to the terms and conditions prescribed in Rule U-24; and the Commission by order dated June 18, 1947, having modified said order so as to extend to June 30, 1947 the time within which the transaction proposed in the joint declaration should be consummated; and

Buffalo and Niagara having requested that the time within which the transactions proposed in said joint declaration may be consummated be further extended to October 31, 1947; and

The Commission having considered such request and deeming it appropriate that an extension of time be granted:

*It is ordered*, That the conditions contained in said order dated February 28, 1947, as modified by said order of June 18, 1947, be, and hereby are, further modified to extend to October 31, 1947 the time within which the transactions proposed in said joint declaration are to be consummated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-7250; Filed, Aug. 1, 1947;  
8:50 a. m.]

[File No. 70-1574]

UNITED GAS CORP. AND UNITED GAS PIPE  
LINE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of July A. D. 1947.

Notice is hereby given that United Gas Corporation ("United"), a gas utility subsidiary of Electric Power & Light Corporation, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and United's wholly-owned subsidiary, United Gas Pipe Line Company ("Pipe Line"), have filed a joint application and declaration pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 6 (a), 7, 9 (a) (1), 10 and 12 (c) of the act and Rule U-42 thereunder as applicable to the proposed transactions.

All interested persons are referred to said joint application and declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

United proposes to issue and sell at private sale under its present Mortgage and Deed of Trust, dated as of October 1, 1944 as supplemented by a First Supplemental Indenture, dated as of July 1, 1947, \$116,500,000 principal amount of First Mortgage and Collateral Trust Bonds, 2 1/4% Series due 1967. It is proposed to

use the proceeds from the sale of said bonds together with \$5,000,000 to be received from Pipe Line in payment of Pipe Line's 3% Promissory Notes held by United for the redemption of the outstanding \$92,205,000 principal amount of United's First Mortgage and Collateral Trust Bonds, 3% Series, due 1962, at the general redemption price of 103.25%; for the purchase from Pipe Line for \$18,695,-000 in cash of a like principal amount of Pipe Line's First Mortgage Bonds, 4% Series, due 1962; and for general corporate purposes including construction and improvement of facilities.

United presently owns \$21,340,000 principal amount of Pipe Line's First Mortgage Bonds, 4% Series due 1962 issued under a Mortgage and Deed of Trust, dated as of September 25, 1944. Said bonds are pledged under United's Mortgage and Deed of Trust. Pipe Line proposes to issue and sell to United for cash at par an additional \$18,695,000 principal amount of such bonds which will also be pledged with the trustee under United's Mortgage and Deed of Trust. Pipe Line proposes to use the proceeds from such sale for the payment of its 3% Promissory Notes in the amount of \$5,000,000 owned by United and for general corporate purposes including construction and improvement of its facilities.

United has requested an exemption from the competitive bidding requirements of Rule U-50, and has retained the firm of Dillon Read & Co. as its agent to aid in the negotiation and sale of the proposed bonds and also to advise with respect to the terms and provisions of said bonds.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint application and declaration and that said joint application and declaration shall not be granted or permitted to become effective except pursuant to a further order of this Commission:

*It is ordered*, That a hearing on said joint application and declaration pursuant to the applicable provisions of the act and the rules of the Commission be held on August 13, 1947 at 10:00 a. m., e. d. s. t., at the offices of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before August 11, 1947 a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered*, That Willis E. Monty or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division having advised the Commission that it has made

## NOTICES

a preliminary examination of the joint application and declaration and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the bonds proposed to be issued by United and Pipe Line are reasonably adapted to the security structures and earning power of said corporations, and whether the financing by the issue and sale of such bonds is necessary or appropriate to the economic and efficient operation of the businesses in which such corporations are engaged.

(2) Whether the terms and conditions of the securities proposed to be issued are in accordance with the applicable standards of the act, particularly section 7 thereof.

(3) Whether the requested exemption from the competitive bidding requirements of Rule U-50 should be granted, and whether any terms and conditions should be imposed in the public interest or for the protection of investors or consumers should such exemption be granted.

(4) Whether the proposed acquisitions and retirements of securities meet the applicable standards of the act, particularly sections 9 (a), 10 and 12 thereof.

(5) Whether the fees and expenses to be paid in connection with the proposed issue and sale of the proposed securities are reasonable.

(6) Whether the proposed accounting treatment with respect to the transactions is appropriate and in conformity with sound accounting principles.

(7) Whether in the event the joint application and declaration shall be granted and permitted to become effective it is necessary or appropriate to impose any terms or conditions to assure compliance with the standards of the act or in the public interest or for the protection of investors or consumers.

*It is further ordered*, That particular attention be directed at said hearing to the foregoing matters and questions.

*It is further ordered*, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicant and declarant herein and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the **FEDERAL REGISTER**.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 47-7246; Filed, Aug. 1, 1947;  
8:50 a. m.]

office in the City of Philadelphia, Penna., on the 28th day of July 1947.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Northern Natural Gas Company ("Northern Natural"), a public utility company and a registered holding company and a subsidiary of North American Light & Power Company and of The North American Company, both registered holding companies. The declarant has designated sections 6 (a) (1), 6 (a) (2) and 7 of the act and Rule U-62 promulgated thereunder as being applicable to the proposed transactions.

All interested persons are referred to said declaration which is on file in the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, for a statement of the transactions therein proposed which are summarized as follows:

Northern Natural proposes to amend its certificate of incorporation to provide for a reduction in the par value of its common stock from \$20 per share to \$10 per share and to issue two shares of common stock, par value \$10 per share, in exchange for each share of outstanding common stock, par value \$20 per share, thereby increasing the number of issued and outstanding shares of common stock from 1,015,000 to 2,030,000. Northern Natural also proposes to amend its certificate of incorporation to provide for an increase in the number of authorized shares of its common stock from 1,200,000 shares of common stock, par value \$20 per share, to 5,000,000 shares of common stock, par value \$10 per share.

Northern Natural further proposes to call a special meeting of stockholders to be held on or about August 20, 1947 for the purpose of voting on aforesaid proposed amendments to its certificate of incorporation and other matters, and has requested the Commission to enter an order prior to August 4, 1947 authorizing the solicitation of proxies in connection with said meeting pursuant to the requirements of Rule U-62.

Notice is further given that any interested person may not later than August 15, 1947 at 12:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on the matters set forth in the declaration other than the proposal to solicit proxies in connection with said special meeting of stockholders, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after August 15, 1947 said declaration, as filed or as amended, excepting such portion thereof as is permitted to become effective herein, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100.

It appearing that the solicitation of the proxies from the stockholders of the declarant, as proposed to be done, does not make it necessary or appropriate in the public interest or for the protection of investors or consumers or to prevent the circumvention of the provisions of the act or the rules and regulations thereunder that the Commission issue any order with respect thereto other than an order permitting the declaration as to such solicitation to become effective, upon the condition, however, that the solicitation material sent to the stockholders shall advise them that they may request a hearing in the manner hereinabove stated with respect to the other matters set forth in said declaration:

*It is therefore ordered*, That, without passing upon the merits of the declaration filed pursuant to sections 6 (a) (1), 6 (a) (2) and 7, the declaration as to the solicitation of proxies from the stockholders of Northern Natural be, and hereby is, permitted to become effective forthwith upon the condition that the solicitation material sent to said stockholders shall advise them that they may request a hearing in the manner set forth in this notice with respect to the other matters set forth in said declaration.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 47-7258; Filed, Aug. 1, 1947;  
8:50 a. m.]

[File No. 812-503]

BANKERS SECURITIES CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of July A. D. 1947.

Notice is hereby given that Bankers Securities Corporation ("Bankers") has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 ("act") for an order of the Commission exempting from the provisions of section 17 (a) of the act (1) a proposed sale by Bankers to Girard Life Insurance Company ("Girard") of \$10,000 principal amount Ten-Year 2 1/4% Bonds and \$35,000 principal amount Twenty-Five Year 3% Bonds of International Bank for Reconstruction and Development ("International Bank"), and (2) a proposed sale by Bankers to Union Building Company ("Union") of \$25,000 principal amount Ten-Year 2 1/4% Bonds of International Bank.

Bankers is a closed-end, management, non-diversified investment company and is registered under the act. Bankers own approximately 67% of the common stock of Girard and approximately 32% of the outstanding stock of Union. Girard and Union are, therefore, each affiliated persons of Bankers. With certain exceptions not applicable to the instant application, section 17 (a) of the act prohibits an affiliated person of a registered investment company from

[File No. 70-1576]

NORTHERN NATURAL GAS CO.

NOTICE OF FILING AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

purchasing securities from such registered company. Bankers has, therefore, filed an application pursuant to section 17 (b) of the act for an order of the Commission exempting the proposed transactions from the provisions of section 17 (a) of the act.

International Bank has filed with this Commission a registration statement in connection with a public offering of \$100,000,000 Ten-Year 2 1/4% Bonds and \$150,000,000 Twenty-five Year 3% Bonds which statement became effective by order of the Commission dated July 14, 1947. Bankers has been invited by International Bank to participate as a securities dealer in the public distribution of its bonds and received a total allotment of \$35,000 Ten-Year and \$55,000 Twenty-five Year Bonds. Under the terms of its Dealers Agreement governing the public distribution of the bonds, Bankers is obliged to re-offer the bonds allotted to it at par which is the offering price fixed by International Bank in its prospectus. The agreement further provides that dealers will be allowed a concession of 1/4 of 1% of the principal amount of all Ten-Year Bonds and 1/2 of 1% of the principal amount of all Twenty-five Year Bonds, none of which may be reallowed.

Bankers as a dealer proposes to sell at par plus accrued interest, on a when-issued basis, \$10,000 Ten-Year and \$35,000 Twenty-Five Year Bonds to Girard and \$25,000 Ten-Year Bonds to Union and will receive the commission referred to herein above for its services. Bankers proposes to sell the remaining \$20,000 Twenty-Five Year Bonds to a non-affiliated person. The market price of the Ten-Year Bonds has ranged between a high of 102 and a low of 101 1/2 since the offering date, closing at 101 1/2 on July 24, 1947. The market price of the Twenty-Five Year Bonds has ranged between a high of 103 1/2 and a low of 102 1/2 since the offering date, closing at 102 1/2 on July 24, 1947. Bankers states in its application (1) that the proposed transactions are in keeping with International Bank's plan for a nation-wide distribution of its securities, (2) that the terms of the proposed transactions, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and (3) that the proposed transactions are consistent with the policy of Bankers as recited in its registration statement and reports filed under the act and are consistent with the general purposes of the act.

All interested persons are referred to said application which is on file at the Philadelphia, Pa., offices of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after August 11, 1947, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 8, 1947, at 5:30 p. m., in writing, submit to the Commission his views or any additional

facts bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, and should state briefly the nature and interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] **ORVAL L. DUBOIS,**  
*Secretary.*

[F. R. Doc. 47-7249; Filed, Aug. 1, 1947;  
8:50 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. I, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9447]

REIMEI NAKAYAMA

In re: Stock owned by Reimei Nakayama, also known as Reimer Nakayama, and as Reiner Nakayama. D-39-370-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reimei Nakayama, also known as Reimer Nakayama, and as Reiner Nakayama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. One Hundred (100) shares of \$5.00 par value common capital stock of United Electric Coal Companies, 307 North Michigan Avenue, Chicago 1, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered C32743, registered in the name of J. R. Williston & Co., together with all declared and unpaid dividends thereon,

b. One Hundred (100) shares of No par value \$4.00 preferred capital stock of Standard Gas & Electric Company, 231 So. LaSalle Street, Chicago 4, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered NL26962, registered in the name of J. R. Williston & Co., together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Reimei Nakayama, also known as Reimer Nakayama and as Reiner Nakayama, by J. R. Williston & Co., 115 Broadway, New York 6, N. Y., in the amount of \$58.80, as of May 19, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] **DAVID L. BAZELON,**  
*Assistant Attorney General,  
Director, Office of Alien Property.*

[F. R. Doc. 47-7225; Filed, July 31, 1947;  
9:42 a. m.]

[Vesting Order 9450]

HISAJIRO OKAMOTO AND ICHIO SATO

In re: Debts owing to Hisajiro Okamoto and Ichio Sato, also known as H. I. Sato and as Henry Ichio Sato. F-39-3852-C-1, D-39-9408-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hisajiro Okamoto and Ichio Sato, also known as H. I. Sato and as Henry Ichio Sato, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Hisajiro Okamoto, by Sogo Kinyusha, J. H. Katada, Treasurer, 1610 S. W. 1st Avenue, Portland, Oregon, in the amount of \$130.50, as of April 1, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Ichio Sato, also known as H. I. Sato and as Henry Ichio Sato, by Sogo Kinyusha, J. H. Katada, Treasurer, 1610 S. W. 1st Avenue, Portland, Oregon, in the amount of \$324.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

## NOTICES

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7226; Filed, July 31, 1947;  
9:42 a. m.]

[Vesting Order 9453]

## LENORE SCHULTZ

In re: Stock, bonds and certificate of beneficial interest owned by and debt owing to Lenore Schultz. F-28-8681-A-1, F-28-8681-D-1/2, F-28-8681-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lenore Schultz, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Thirty (30) shares of \$100 par value common capital stock of American Telephone & Telegraph Company, 195 Broadway, New York 7, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, and in the amounts appearing opposite each Certificate Number as follows:

Certificate No.	Number of shares
NG 22420	7
ND 91207	4
NW 91834	2
NZ 89264	2
EN 26228	8
MN 3091	2
SN 75989	3
NG 96313	7

registered in the name of Lenore Schultz, and presently in the custody of The First National Bank, Madison, Wisconsin, together with all declared and unpaid dividends thereon,

b. Forty (40) shares of \$100 par value, 7% Preferred Cumulative capital stock of Northern States Power Company, 231 S. La Salle Street, Chicago 4, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by Certificates Numbered 45295, 46672, 51561 and 55597, for 10 shares each, registered in the name of Lenore Schultz, and presently in the custody of The First National Bank, Madison, Wisconsin, together with all declared and unpaid dividends thereon,

c. Twenty-eight (28) shares of \$20.00 par value common capital stock of General Telephone Corporation, 80 Broad Street, New York 4, New York, a corporation organized under the laws of the State of New York, evidenced by Certificate Numbered TCO 50386, registered in the name of Lenore Schultz, and presently in the custody of The First National Bank, Madison, Wisconsin, together with all declared and unpaid dividends thereon,

d. Three (3) Guaranty Mtg. Corp. Coll. Tr. Ser. Y-7, Bonds, each of \$300 original face value, bearing the numbers C4, C11 and C-12 and presently in the custody of The First National Bank, Madison, Wisconsin, together with any and all rights thereunder and thereto.

e. One Certificate of Beneficial Interest of Capitol Building Company, 6 East Randolph Street, Chicago, Illinois, of \$100 par value, for one unit, bearing number 0135, registered in the name of Lenore Schultz, and presently in the custody of The First National Bank, Madison, Wisconsin, together with any and all rights thereunder and thereto, and

f. That certain debt or other obligation owing to Lenore Schultz, by The First National Bank, Madison 1, Wisconsin, in the amount of \$2445.52, as of May 28, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof, is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7227; Filed, July 31, 1947;  
9:43 a. m.]

[Vesting Order 9502]

## ERICA SCHIRMER FISCHER

In re: Trust created under informal agreement for the benefit of Erica Schirmer Fischer, formerly known as Erica Schirmer, wherein Herbert J. Lyall, deceased, was trustee. File No. D-28-2410; E. T. Sec. 3898.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Erica Schirmer Fischer, formerly known as Erica Schirmer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Trust created under Informal Agreement for the benefit of Erica Schirmer Fischer, formerly known as Erica Schirmer, wherein Herbert J. Lyall, deceased, was Trustee, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Herbert J. Lyall, Jr., and Edward J. West, as Co-Executors under the Will of Herbert J. Lyall, deceased, acting under the judicial supervision of the Union County Orphans' Court, Elizabeth, New Jersey,

and it is hereby determined:

That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.  
[F. R. Doc. 47-7228; Filed, July 31, 1947;  
9:43 a. m.]

[Vesting Order CE 396]

**COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS**

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such

person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on July 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
<i>Item 1</i>			
Francesco Colaci.....	Italy.....	Estate of James Colaci, deceased. Surrogate's Court, Queens County, N. Y.; docket No. 1219/37.	\$207.00
<i>Item 2</i>			
Giuseppe Gennusa.....	do.....	Estate of Jasper Genusa, incompetent. Vincent Russo, committee, Supreme Court, Kings County, State of New York; docket No. 271-20.	87.00
<i>Item 3</i>			
Dorothy Rie Ausenda.....	do.....	Estate of Emma G. Strouse, deceased. Surrogate's Court, New York County, N. Y.; court file No. P-479-1938.	32.00
Ruth Emma Rie Roman.....	Germany.....	Same.....	32.00
<i>Item 4</i>			
Mary E. Byrne.....	Italy.....	Estate of Alice C. Byrne, deceased. Surrogate's Court, New York County, N. Y.; docket No. P-557-1944.	38.00
<i>Item 5</i>			
Armando Corsi.....	do.....	Estate of Albert H. Balcom, deceased. Surrogate's Court, New York County, N. Y., file No. A. 1941-1945.	86.00
<i>Item 6</i>			
Mariannina Barone.....	do.....	Estate of Maria Barone Contante, deceased. Surrogate's Court, Queens County, N. Y.; 5254-1943.	45.00
Rosa Barone.....	do.....	Same.....	15.00

[F. R. Doc. 47-7229; Filed, July 31, 1947; 9:43 a. m.]

[Vesting Order 9390]

HELMKEN & RANDERMANN

In re: Debt owing to Helmken & Randermann. F-28-11348-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helmken & Randermann, the last known address of which is Postbox 229, Bremen, Germany, is a corporation, partnership, association or other busi-

ness organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Helmken & Randermann, by Oberaldo Finance Corporation, P. O. Box 896, Reading, Pennsylvania, arising out of a dollar demand deposit, in the amount of \$11,335.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 14, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7261; Filed, Aug. 1, 1947;  
8:46 a. m.]

[Vesting Order 9445]

MR. HEINRICH HARTNACK

In re: Bank account and stock owned by Mr. Heinrich Hartnack. F-28-6293-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mr. Heinrich Hartnack, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Mr. Heinrich Hartnack,

## NOTICES

by Central Hanover Bank and Trust Company, 70 Broadway, New York 15, New York, arising out of a Custody Account, entitled Heinrich Hartnack, and any and all rights to demand, enforce and collect the same, and

b. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, and presently in the custody of Central Hanover Bank and Trust Company, 70 Broadway, New York 15, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

## EXHIBIT A

Name and address of issuing corporation	State of incorporation	Certificate No.	Number of shares	Par value	Type of stock	Registered owner
Acme Steel Co., 2840 Archer Ave., Chicago 8, Ill.	Illinois	NY/O 9424	80	\$10.00	Capital	Sigler & Co.
Addressograph-Multigraph Corp., 1200 Babbitt Rd., Cleveland 17, Ohio.	Delaware	N 10401	100	10.00	Common	Do.
American Water Works & Electric Co., Inc., 50 Broad St., New York 4, N. Y.	do	CO 199023	@ 41	No par	do	Do.
Bangor & Aroostook Railroad Co., Graham Bldg., Bangor, Maine.	Maine	C 130792	@ 100	No par	do	Do.
Bohn Aluminum & Brass Corp., 1400 Lafayette Bldg., Detroit, Mich.	Michigan	C 130793	@ 100	50	do	Do.
The Borden Co., 250 Madison Ave., New York 15, N. Y.	New Jersey	NY/O 27669	@ 100	50.00	do	Do.
Brown Shoe Company, Inc., 1600 Washington Ave., St. Louis, Mo.	New Jersey	NY 14447	@ 100	50.00	do	Do.
The Bullard Co., 286 Canfield Ave., Bridgeport, Conn.	Connecticut	NY/O 7108	50	5.00	do	Do.
The Chesapeake & Ohio Ry. Co., Richmond, Va.	Virginia	285618	@ 50	15.00	Capital	Do.
General Foods Corp., 250 Park Ave., New York 17, N. Y.	do	285619	@ 50	15.00	do	Do.
General Motors Corp., 3044 West Grand Blvd., Detroit, Mich.	New York	NY/O 11660	50	15.00	Common	Do.
Mathieson Alkali Works (Inc.), 60 East 42d St., New York 17, N. Y.	Virginia	XNY/C32833	100	No par	do	Do.
National Distillers Products Corp., 700 East Franklin St., Richmond 19, Va.	do	F 12140	@ 39	No par	do	Do.
National Gypsum Co., 325 Delaware Ave., Buffalo 2, N. Y.	Delaware	TF 204313	@ 78	No par	do	Do.
Pittston Co., 77 River St., Hoboken, N. J.	do	C 28903	@ 100	1.00	do	Do.
Public Service Corp. of New Jersey, 80 Park Pl., Newark 1, N. J.	do	C 020660	@ 40	1.00	do	Do.
Southern California Edison Co., Ltd., Edison Bldg., 601 West 5th St., Los Angeles, Calif.	do	TC 042608	@ 1	1.00	do	Do.
Swift & Co., Union Stockyards, Chicago 9, Ill.	New Jersey	F 74566	@ 25/100	1.00	do	Not registered.
South Porto Rico Sugar Co., 15 Exchange Pl., Jersey City, N. J.	California	Y 123254	100	No par	do	Sigler & Co.
	Illinois	ND 31850	@ 100	25.00	do	Do.
		ND/O 44719	@ 50	25.00	do	Do.
		ND/O 57171	@ 50	25.00	do	Do.
	New Jersey	N 48384	@ 100	25.00	Capital	Do.
		O 068638	50	No par	Stamped common	Heinrich Hartnack.

[F. R. Doc. 47-7262; Filed, Aug. 1, 1947; 8:46 a. m.]

[Vesting Order 9456]

VON DER HEYDT & CO.

In re: Bonds, stock and a bank account owned by Von Der Heydt & Co. F-28-26551-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Von Der Heydt & Co., the last known address of which is Berlin, Germany, is a partnership, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Eleven (11) Hotel Waldorf-Astoria 5% Sinking Fund Income Debentures, of \$10,500.00 aggregate face value, bearing the numbers M485, M486, M487, M488, M489, M490, M491, M492, M493 and M494 of \$1,000.00 face value each, and D56 of \$500.00 registered in the name of Cudd & Co., presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

b. One thousand and sixty (1,060) shares of \$1.00 par value common capital stock of Hotel Waldorf-Astoria Corp., 301 Park Avenue, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered B1 for eight hundred and fifty (850) shares, O4597 for ten (10) shares, C3323 and C3324 for one hundred (100) shares each, registered in

the name of Cudd & Co., and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Von Der Heydt & Co., by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash custodian account, entitled Von Der Heydt & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 18, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7263; Filed, Aug. 1, 1947;  
8:46 a. m.]

[Vesting Order 9479]

OTTO ACKERMANN ET AL.

In re: Bank accounts owned by Otto Ackermann, Elfriede Ackermann and Richard Ackermann. F-28-24799-E-1, F-28-24800-E-1, F-28-24798-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Ackermann, Elfriede Ackermann and Richard Ackermann, whose last known addresses are Breslau, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Otto Ackermann, by Mississippi Valley Trust Company, 225 No. Broadway, St. Louis 2, Missouri, arising out of a Current Account, entitled Otto Ackermann, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Elfriede Ackermann, by Mississippi Valley Trust Company, 225 No. Broadway, St. Louis 2, Missouri, arising out of a Current Account, entitled Elfriede Ackermann, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Richard Ackermann, by Mississippi Valley Trust Company, 225 No. Broadway, St. Louis 2, Missouri, arising out of a Current Account, entitled Richard Ackermann, maintained at the

aforesaid bank, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 23, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7264; Filed, Aug. 1, 1947;  
8:46 a. m.]

[Vesting Order 9481]

UMBERTO BORTOLUSSI

In re: Claim owned by Umberto Bortolussi. F-28-28257-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Umberto Bortolussi, whose last known address is Gallitzinstr. 21, Muenster I, Westfalen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: The claim of Umberto Bortolussi against the State of New York and the Comptroller of the State of New York, arising by reason of the collection or receipt by said Comptroller, pursuant to the provisions of the Abandoned Property Law of the State of New York, of that sum of money previously on deposit with The Bowery Savings Bank, 110 East 42nd Street, New York 17, New York, in a savings account, account number 220-718, entitled Umberto Bortolussi, and any and all rights to file with said Comptroller, demand, enforce and collect the aforesaid claim,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Umberto Bortolussi, aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 23, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7265; Filed, Aug. 1, 1947;  
8:47 a. m.]

[Vesting Order 9483]

LINA HERMANN

In re: Bank account owned by Lina Hermann. F-28-25781-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lina Hermann, whose last known address is Richard Wagnerstrasse 11, Karlsruhe, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York, New York, arising out of a Cash Custodian Account, entitled Swiss Bank Corporation, Zurich, Switzerland, Special Account Lina Hermann, maintained at the aforesaid Agency, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Lina Hermann, aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as

## NOTICES

a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 23, 1947.

For the Attorney General,

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7266; Filed, Aug. 1, 1947;  
8:46 a. m.]

[Vesting Order 9497]

MAGDALENA PALM

In re: Bond and mortgage, property insurance policies, capital stock certificate and claim owned by Magdalena Palm.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Magdalena Palm, whose last known address is Massweiler bei Zweibruecken Rheinpfalz, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. A mortgage executed on July 5, 1918, by Gascoyne Realty Company, to United States Title Guaranty Company, and recorded in the Office of the Clerk of the County of Queens, New York, on July 8, 1918, in Liber 1799 of Mortgages, at page 103, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations.

b. All right, title and interest of Magdalena Palm, in and to the following insurance policies:

Policy No. 83197, issued by Northwestern National Insurance Company, East Wisconsin Avenue and North Jackson Street, Milwaukee, Wisconsin, in the amount of \$1,500.00, which policy expires May 28, 1948, and insures the property subject to the mortgage described in subparagraph 2-a hereof, and

Policy No. 110421, issued by Northwestern National Insurance Company, East Wisconsin Avenue and North Jackson Street, Milwaukee, Wisconsin, in the amount of \$2,500.00, which policy expires

March 31, 1950, and insures the property subject to the mortgage described in subparagraph 2-a hereof, and

c. Capital Stock Certificate No. 70 of the 1711-1729 Neptune Avenue Corporation, dated April 30, 1937, in the face amount of \$500.00, which certificate is on deposit with Manufacturers Trust Company, 55 Broad Street, New York, New York, in Custody Account No. 894,490, entitled "Richter & Kaiser, Inc.", together with all declared and unpaid dividends thereon, and any and all rights thereunder and thereto, including particularly but not limited to the right to present it for payment and demand the sum of \$315.00, presently held by Fulton Service Corporation, 32 Court Street, Brooklyn, New York, and

d. That certain debt or other obligation owing to Magdalena Palm by Richter & Kaiser, Inc., 186 Remson Street, Brooklyn, New York, arising by reason of collections on the mortgage described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a to 2-d hereof, inclusive, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 25, 1947.

For the Attorney General,

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 47-7267; Filed, Aug. 1, 1947;  
8:47 a. m.]

[Vesting Order 9498]

PAUL WILLIAM STARK

In re: Real property owned by Paul William Stark, also known as Paul Stark.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul William Stark, also known as Paul Stark, whose last known address is Zinglerstrasse 5, im Garten Ulm/Donau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Real property situated in Smithville South, Town of Hempstead, County of Nassau, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 25, 1947.

For the Attorney General,

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

## EXHIBIT A

ALL that certain piece and parcel of ground, with the buildings formerly used as a shop, situated thereon, said premises being situated in Smithville South, Town of Hempstead, County of Nassau, New York, on the westerly side of the road leading from the plains to Bellmore and generally or heretofore known as the Little Neck Road, described as follows:

Beginning at a point on the westerly side of Little Neck Road at a point 150 feet southerly from the southerly side of Haff Avenue where it intersects said Little Neck Road, and running thence southerly and bounded by said Little Neck Road, 150 feet; thence westerly 185 feet; thence northerly 150 feet to the corner formed by the intersection on the southerly line of land now or formerly of Rath with land now or for-

merly of Rudolph Busch and Marie Busch and thence easterly and bounded by said land now or formerly of Rath 185 feet to the point or place of Beginning. Said premises being generally bounded on the east by Little Neck Road, on the south by lands now or late of Moran or the said Rudolph Busch and Marie Busch; on the west by land now or formerly of Rudolph Busch and Marie Busch and on the north by lands now or formerly of said Rath.

Together with all the right, title and interest of the party of the first part hereto in and to that portion of Little Neck Road lying in front of and adjacent to the above described premises to the center line thereof.

[F. R. Doc. 47-7268; Filed, Aug. 1, 1947; 8:47 a. m.]

[Vesting Order 6230, Amdt.]

GERHARD AND GERTRUD STUBBE

In re: Real property, property insurance policy, claims, securities, household furniture and personal effects owned by Gerhard and Gertrud Stubbe, both also known as G. Stubbe.

Vesting Order 6230, dated April 30, 1946, is hereby amended as follows and not otherwise:

1. By deleting Exhibit A, attached thereto and by reference made a part thereof, and substituting therefor Exhibit A, attached hereto and by reference made a part hereof.

2. By deleting subparagraph 2-f and substituting therefor the following:

f. All those household furnishings and personal effects owned by Gerhard Stubbe and Gertrud Stubbe, both of whom are also known as G. Stubbe, presently in the custody of the Union Transfer and Storage Company, 1113 Vine Street, Houston, Texas, evidenced by warehouse receipts, numbered 2381 and 2383 of the aforesaid Union Transfer and Storage Company, including but not limited to the property particularly described in Exhibit A, attached hereto and by reference made a part hereof,

All other provisions of said Vesting Order 6230 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

EXHIBIT A

7-piece twin bedroom suite, two-tone, consisting of:

2 single beds with mattress and inner springs  
1 chest drawers  
1 vanity bench  
2 night stands  
1 dresser

8-piece maple dining room set, consisting of:

1 buffet  
1 dining table  
6 straight chairs (back broken on one chair)

1 youth bed with mattress  
4 straight chairs  
1 large rack 14 x 72 x 72" (homemade)  
1 lawn mower 14" (used)  
1 rack 12 x 52 x 47"  
1 water hose—on rack—40 ft.  
1 child's chiffon robe  
1 (3 section) book case  
1 porcelain table top  
1 rug—7½ x 9 ft. Wilton velvet  
1 rug—7½ x 9 ft. blue carpet  
1 rug—8 x 10 ft. Axminster  
1 rug—8 x 10 ft. Axminster  
1 rug pad 7 x 9 ft.  
1 bathinette  
1 baby bed, without mattress  
1 maple desk  
1 chest drawers—bleached  
1 divan (sofa bed)  
1 settee  
1 Bristol gas range—4-burner  
1 floor lamp stand—base and shade  
1 floor lamp stand—base and shade  
1 book cabinet—4 sections—short 1 leg  
1 book rack  
1 arm chair  
1 arm chair  
11 stemmed crystal wine glasses—green  
2 hot plates for dinner table  
5 ebony and ivory elephants  
1 baby hot plate  
1 amber crystal bowl  
1 glass flower bowl  
9 decorated demitasse cups and saucers—German  
1 set (1 each) salt and pepper shakers  
1 cut glass candy dish  
1 cut crystal rose vase  
1 amber edged crystal vase  
1 porcelain decorated ink well (small)  
1 3-piece set cut crystal bowls  
11 etched water glasses  
12 crystal saucers  
11 crystal butter dishes  
1 water sprinkler  
2 metal door mats  
1 automobile jack—no handle  
1 desk lamp  
1 shovel  
1 small tent  
1 bundle 24 curtain rods  
1 Remington typewriter  
1 Hot Point electric iron  
1 G. B. clock  
1 small clock—make unknown  
1 small clock—make unknown  
1 Electrolux vacuum cleaner  
1 quart Thermos bottle  
1 pint Thermos bottle  
1 leather brief case  
1 baby rack  
1 bag of fifty clothespins  
2 wire baskets  
1 baby bath tub  
1 carton containing 32 Victrola records  
1 airmail scale—1 lb. capacity  
2 barometers—small  
7 dinner knives—not sterling silver  
8 vegetable spoons—not sterling silver  
3 teaspoons—not sterling silver  
6 forks—not sterling silver  
1 baby spoon—not sterling silver  
1 pound Folgers coffee  
1 tennis court net  
1 minnow net  
1 thin green rubber matting  
1 bundle 8 pillows  
1 bundle 2 throw rugs—small  
1 T-shaped Mexican rug—4 x 5 ft.  
1 bundle 23 odd curtains (old and discolored)  
1 bundle 6 tea towels  
1 hand cycle  
1 bundle 16 drapes—odd size and discolored  
1 bundle 3 toys  
1 bundle 10 flower pots  
1 carton 65 wire and wood coat hangers  
1 small Mexican waste basket  
1 small Mexican sewing basket  
1 wooden buffet tray  
1 round buffet tray  
1 small Mexican rug  
1 woolen robe blanket  
4 flower frogs  
2 small food choppers  
1 wire tray for 8 glasses  
1 small drop-leaf table  
1 small round end table  
1 end table (modern)  
1 typewriter desk—oak  
1 rug 6 x 9 ft. Axminster  
1 folding stepladder  
1 gas heater  
1 gas heater circulating  
1 smoking stand  
1 folding army cot  
1 garbage can—10-gallon size  
1 office armchair  
1 maple armchair  
1 maple desk armchair  
1 garbage can—15-gallon size  
1 Frigidaire—5 ft. H205 G. M.  
1 child's high chair  
1 rug pad 5 x 8 ft.  
1 stool—1 brace broken  
1 child's rocking horse  
1 folding chair No. 78  
1 handbag—old and worn  
1 grass catcher  
1 small oil heater  
1 combination stool and ladder  
1 nest 2 tubs  
1 roll screen wire—5' x 3'  
1 wire door mat  
1 large hammer—sledge  
1 floor waxer  
1 portable Victrola  
1 water cooler  
18 stem glasses—etched crystal  
1 set dishes—60 pieces—German porcelain  
67 pieces German silver No. 800  
12 bone-handled knives  
4 pieces bone-handled serving set  
11 table spoons—silver undetermined  
16 silver souvenir spoons  
1 silver soup ladle  
2 silver napkin rings  
1 ivory napkin ring  
1 Meissner tea pot  
1 green flower vase  
1 cut crystal flower vase  
1 lustre teapot  
1 lustre sugar bowl  
2 silver-plated creamers  
1 porcelain cookie jar—w/handle  
1 silver-plated teapot  
1 silver-plated cocktail tray—small  
6 silver-plated coasters  
1 silver-plated sugar bowl  
1 silver-plated well and tree platter  
1 wood carved tobacco jar  
8 kpm coffee cups and saucers  
12 pieces miscellaneous Rosenthal porcelain  
1 decorated porcelain plate  
1 Meissner plaque  
61 pieces inexpensive pottery and dishes (miscel. colors)  
6 whiskey glasses—red rim  
5 liqueur glasses  
3 amber and green wine glasses  
6 etched crystal water glasses  
1 spading fork  
1 weed cutter  
1 No. 2 edger  
1 leaf rake  
1 small metal chest  
1 small wooden chest (homemade)  
1 folding camp stool  
1 picture—ocean scene—33 x 25  
1 picture—homestead scene—25 x 20  
1 picture—Venice scene—21 x 17  
1 picture—homestead scene—16 x 12  
1 picture—Japanese scene—16 x 12  
3 pictures—airplane scene—17 x 13  
1 picture—pencil sketch—18 x 14  
1 picture—forest scene—17 x 13  
1 picture—water color—lakeshore scene—25 x 30  
1 picture—canvas water color—coastal scene—16 x 21  
4 pictures—miscellaneous scenes—small

## NOTICES

1 aluminum driplater—6 cups  
 1 flour sifter  
 1 spice grader  
 1 wood salad mixer  
 2 cake tins  
 1 pie tin  
 2 egg beaters  
 1 potato masher  
 3 can openers  
 2 rolling pins  
 4 wooden spoons  
 2 metal dippers for soup  
 1 cigarette dispenser—no top  
 4 chopping blocks  
 1 cabbage chopper  
 1 metal perpetual calendar  
 11 pots and pans  
 1 aluminum skillet  
 10 lids for pots

1 small box containing Christmas ornaments  
 1 enamel skillet  
 1 small silver tray  
 1 Twinplex safety razor sharpener  
 1 razor stone  
 1 bucket containing miscellaneous kitchen utensils  
 1 box personal papers and records 46" x 26" x 36"  
 1 box personal papers and records 36" x 40" x 31"  
 1 box personal papers and records 42" x 38" x 22"  
 163 miscellaneous books in English  
 181 miscellaneous books in German  
 8 bars soap  
 1 Nagel Pubille camera, Leitz Elmer, 101323  
 1 Expose meter, Ombrux

1 auto timing device  
 1 Zeiss baby camera in leather box  
 1 filter medium  
 1 tripod with extension legs, metal  
 1 Voigtlander camera, lens 1013689  
 1 Monocular field glass, 1552153  
 1 nest of four metal drinking cups in leather case  
 1 Plus 8 lens appliance  
 1 leather shoulder bag with various papers  
 2 key cases  
 1 identification tag  
 1 box various keys  
 1 small marquetry box with tax tokens  
 1 leather pouch

[F. R. Doc. 47-7269; Filed, Aug. 1, 1947;  
 8:47 a. m.]